



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 06.11.2017

CORAM

**THE HON'BLE MR.JUSTICE S.S.SUNDAR**

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Cr1.O.P.(MD) No. 14998 of 2017

- 1.Mohamed Hanifa
- 2.Mohamed Yasin
- 3.Raja Mohamed
- 4.Mohamed Iliyas
- 5.Thalampady Jamal
- 6.Thangapapa Jamal
- 7.Ibrahim
- 8.Sajahan
- 9.Abdul Rahman
- 10.Mohamed Farook
- 11.Jinnah
- 12.Ayyupkhan
- 13.Jaffer Ali
- 14.Abuthahir

...Petitioners/Accused 1 to 14

-Vs-

- 1.State through the Inspector of Police,  
Puthanatham Police Station,  
Trichy District.  
(Crime No.75 of 2010)

... 1<sup>st</sup> Respondent/ Complainant

- 2.Abdul Kadar  
Complainant

... 2<sup>nd</sup> Respondent/Defacto

**Prayer:** Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records in Cr.No.75 of 2010 on the file of the first respondent police and quash the same.



For Petitioners :Mr.V.Palani  
For R1 :Mr.K.S.Durai Pandi  
Additional Public Prosecutor  
For R2 :Mr.A.Uthayakumar

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**ORDER**

The Criminal Original Petition has been filed to call for records in Cr.No.75 of 2010 on the file of the first respondent police and quash the same.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3.The petitioners are accused No.1 to 14 in Cr.No.75 of 2010. The second respondent lodged a complaint, as against the petitioners and a case was registered in Crime No.75 of 2010, for the offences punishable under Sections 147, 148, 427, 324, 307, IPC and Section 3(1) PPDL Act, on the file of the first respondent. It is represented that after the registration of complaint the 6<sup>th</sup> petitioner died.

4.It appears that the petitioners and the second respondent namely, the de-facto complainant have settled their dispute amicably out of Court and they have also entered into a compromise, on the advise of elders and the family members. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent, has no objection for quashing the First Information Report in Cr.No.75 of 2010 on the file of the first respondent.

5.The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free will and volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent police.

6.Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the First Information Report in Cr.No.75 of 2010, on the file of the first respondent /  
<https://hcservices.ecourts.gov.in/hcservices/> of Police, Puthanatham Police Station, Trichy District, is quashed in *toto*. The Joint Compromise Memo signed by



the parties shall form part of the order.

7. Accordingly, the Criminal Original petition is allowed.  
Sd/-

Assistant Registrar

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/True copy/

Sub Assistant Registrar

ENCL:Xerox Copy of Joint Compromise Memo.  
To

1.The Inspector of Police,  
Puthanatham Police Station,  
Trichy District.

2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.P.THAMBIDURAI, Advocate, SR. 85661

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06.11.2017

MM

KK/SV MMS/SAR 2/09.11.2017/ 3P- 4C/