



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.15011 of 2017

1.Mani @ Manikandan
2.Raja
3.Durai @ Duraipandian

: Petitioners

-Vs-

1.State rep. by
The Inspector of Police,
Palayamkottai Police Station,
Thirunelveli City,
Thirunelveli District.

2.Robin Stephen

: Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code to call for the records pertaining to the impugned FIR registered in Crime No.716 of 2017 on the file of the first respondent Police and quash the same.

For Petitioner	: Mr.K.Gokul
For R1	: Mr. C. Mayilvahana Rajendiran Additional Public Prosecutor
For R2	: Mr. N. Rahamadullah

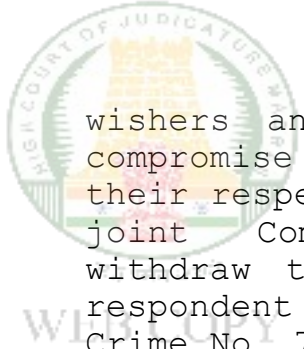
O R D E R

This petition is filed to call for the records pertaining to the impugned First Information Report registered in Crime No.716 of 2017 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 respondent no. 1 and the learned counsel appearing for the second respondent.

3. The petitioners are accused nos. 1 to 3 in Crime No.716 of 2017 on the file of the first respondent Police. Based on the complaint lodged by the second respondent / de facto complainant, a case was registered in Crime No.716 of 2017, by the first respondent Police for the offences under Sections 147, 294(b), 323, 324 and 506 (ii) of IPC.

4. It appears that parties viz., petitioners and the 2nd respondent / de facto complainant have settled their dispute amicably out of Court, at the instigation of the elders and well



wishers and they have also entered into a compromise. A joint compromise memo signed by the parties concerned in the presence of their respective counsels is produced before this Court. As per the joint Compromise Memo, the de facto complainant has agreed to withdraw the criminal case and the petitioners and the second respondent have requested this Court to quash the proceedings in Crime No. 716 of 2017 on the file of the first respondent Police.

5. The petitioners and the second respondent appeared before this Court today and expressed in unequivocal terms that the Joint Compromise Memo was signed by them on their own will and volition. The identities of the petitioners and second respondent 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 second respondent Police. The learned counsel appearing for the petitioners states that the second petitioner is a minor and therefore, he is represented by his father and natural guardian by name Kumar.

6. In the said circumstances, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, on the basis of the compromise memo signed by the parties, the Criminal Original petition is allowed and the First Information Report pending in Crime No. 716 of 2017 on the file of the first respondent Police is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

Enclosed : The Joint Compromise Memo signed by the parties shall form part of the order.

1. The Inspector of Police,
Palayamkottai Police Station,
Thirunelveli City,
Thirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.K.Gokul, Advocate SR.No. 85646

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