



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2017

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

Crl.O.P.(MD) Nos.15133 and 13556 of 2017
and

Crl.M.P(MD).No.9114 of 2017 in Crl.O.P.(MD) No.13556 of 2017

S.John Britto ... Petitioner in Crl.O.P(MD).No.15133 of 2017

1.J.P.Prakash

2.Prasanthkumar ... Petitioners in Crl.O.P(MD).No.13556 of 2017

-Vs-

1.State

rep. by the Inspector of Police,
Puthanatham Police Station,
Manaparai Taluk,
Trichy District.

(Crime No.140 of 2017) ...1st Respondent/Complainant

2.Rajalingam

... 2nd respondent/Defacto Complainant
in both Crl.O.Ps.

Prayer in both Crl.O.Ps.: Criminal Original petitions are filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the proceedings in Crime No.140 of 2017 on the file of the first respondent Police and quash the same.

For Petitioners

in Crl.O.P(MD).No.13556/17 : Mr. A. Joel Paul Antony

For Petitioner

in Crl.O.P(MD).No.15133/17 : Mr. K.P. Narayanakumar

For R-1

: Mr.C. Mayil Vahana Rajendiran
Additional Public Prosecutor

For R-2

: Mr.A. Balakrishnan
in both Crl.O.ps.

O R D E R

These Criminal Original petitions are filed to call for the records relating to the proceedings in Crime No.140 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.

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3. The petitioner in CrI.O.P(MD).No.15133 of 2017 is the first accused and the petitioners in CrI.O.P(MD).No.13556 of 2017 are the second accused and the proposed accused in Crime No.140 of 2017. Both the Criminal Original Petitions arising out of same complaint, which was registered in Crime No.140 of 2017, for the offence under Section 366 of IPC, on the basis of the complaint lodged by the second respondent in both the cases. The second respondent in both the Criminal Original Petitions are one and the same.

4. After registration of the complaint on 14.09.2017, the parties viz., petitioners and the 2nd respondent / de facto complainant in both the cases 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. It is stated that the petitioner / A1 in CrI.O.P(MD).No.15133 of 2017 and a girl by name Ranjitha fell in love. Since the petitioner /A1 in CrI.O.P (MD).No.15133 of 2017 and the girl decided to marry it is stated that the problem arose and resulted in registration of the First Information Report by the father of the girl. However, the fact remains that the first petitioner in CrI.O.P(MD).No.15133 of 2017 and the girl by name Ranjitha have married and they are living as husband and wife. The joint compromise memos dated 03.10.2017 and 5.11.2017 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 in both the petitions have requested this Court to quash the proceedings in Crime No. 140 of 2017 on the file of the first respondent Police.

5. The parties viz., petitioners and the second respondent have appeared before this Court and expressed in unequivocal terms that the Joint Compromise Memos were signed by them on their own will and volition. The identities 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. In the said circumstances, this Court is of the view that no useful purpose will be served by keeping this matter pending. On the basis of the compromise memo signed by the parties, the Criminal Original petitions are allowed and the proceeding pending in Crime No.140 of 2017 on the file of the first



respondent Police is quashed in toto. The Joint Compromise Memos signed by the parties shall form part of the order. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

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/True Copy/

Sub Assistant Registrar

Encl: Xerox Copy of Joint Compromise Memo

To

1. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
2. The Inspector of Police,
Puthunatham Police Station,
Manaparai Taluk,
Trichy District.

+1cc to Mr.K.P. Narayanakumar, Advocate Sr.No.85690

+2cc to Mr.A. Joel Paul Antony, Advocate Sr.No.86084

TRP

VB/KK/SAR2/30/11/2017/3P/6C

Cr1.O.P.(MD) Nos.15133 and 13556 of 2017
and
Cr1.M.P(MD).No.9114 of 2017 in Cr1.O.P.(MD) No.13556 of 2017
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