



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2017

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.1540 of 2017

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Balamurugan : Petitioner/Sole Accused
-vs-

1.State Rep. by,
The Sub-Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District. ...1st Respondent/Complainant

2.Velmurugan ...2nd Respondent/Defacto Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure to call for the records in Crime No.265 of 2016 on the file of the respondent police and quash the same.

For Petitioner : Mr.P.Muthusamy
For Respondent No.1 : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)
For Respondent No.2 : Mr.C.Saravanan

O R D E R

This petition has been filed seeking to quash the case registered in Crime No.265 of 2016 on the file of the first respondent police, pursuant to the amicable settlement effected between the parties.

2. On the complaint lodged by one Velmurugan, the first respondent registered a case in Crime No.265 of 2016 under Sections 341, 294(b), 336 and 506(ii) of the Indian Penal Code against Balamurugan and seeking to quash the same, both parties are present before this Court on the ground that they have arrived at the compromise.

3. Today, when the matter was taken up for hearing, Mr.K.Thirunavukkarasu, Special Sub-Inspector of Police, Devakottai Taluk Police Station, Sivagangai District, is present. Balamurugan and Velmurugan are present before this Court and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Criminal side) through Mr.K.Thirunavukkarasu, Special Sub-Inspector of Police, Devakottai Taluk Police Station.

4. The petitioner and the second respondent have filed a joint compromise in the court dated 02.02.2017, wherein, they have stated as follows:



"2. I submit that now the both the petitioner and the defacto complainant has arrived at a compromise with the help of elders. On the basis of compromise both the petitioner and the defacto complainant decided not to prosecute the case, Further the matter was amicably settled among them. There is nothing survived in the case and both of them have no objection to quash in Cr.No.265/2016 on the file of the Sub-Inspector of Police, Devakottai Taluk Police Station, Sivagangai District.

It is prayed that this Hon'ble Court may be pleased to call for the records of FIR in Cr.No.265/2016 on the file of the respondent and to quash the same as illegal and pass such further or other orders as this Hon'ble Court may deem fit and proper in the above circumstances and thus render justice."

5. In view of the joint memo of compromise dated 02.02.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, the entire proceedings in Crime No.265 of 2016 on the file of the first respondent, in respect of all the accused, are hereby quashed.

6. Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties. The joint compromise memo dated 02.02.2017 shall form part of this order.

Sd/-

Assistant Registrar(Record)

/True copy/

Encl:Xerox copy of Compromise memo

Sub Assistant Registrar

To:

1.The Sub-Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.

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

+2cc to Mr.C.Saravanan, Advocate SR.No.12710

+1cc to Mr.C.Saravanan, Advocate SR.No.13150

+1cc to Mr.P.Muthusamy, Advocate SR.No.12709

sml

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