



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2017

CORAM

WEB COPY

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

Crl.O.P.(MD) No. 15498 of 2017

Thibash : Petitioner/Accused-1

-Vs-

1. The Inspector of Police,
Radhapuram Police Station,
Radhapuram, Tirunelveli District.
(Crime No.93 of 2013) : 1st Respondent/Complainant

2. Mugesh : 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to quash the C.C.No.484 of 2015 under Sections 294(b), 323 506(i) IPC filed before the Judicial Magistrate, Valliyoor in FIR in Crime No.93 of 2013 on 30.05.2013 registered on the file of 1st respondent police, on the basis of the 'Joint Compromise Memo' filed by the petitioner and the 2nd respondent herein.

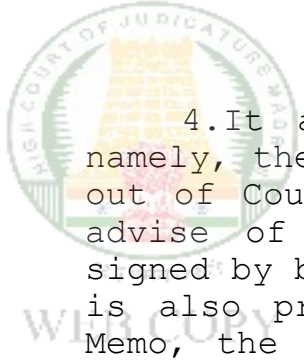
For Petitioner	: Mr.P.M.Vishnuvarthanan
For R1	: Mr.A.Ramar
	Additional Public Prosecutor
For R2	: M/s.M.Viji

ORDER

The Criminal Original Petition has been filed to quash the FIR in C.C.No.484 of 2015 filed before the Judicial Magistrate, Valliyoor in Crime No.93 of 2013 registered on the file of 1st respondent police.

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

3.The petitioner is the sole accused in C.C.No.484 of 2015. Based on the complaint lodged by the second respondent, a case was registered in Crime No.93 of 2013 for the offences punishable under Sections 294(b), 323 and 506(i) IPC by the first respondent police. After filing the charge sheet, the case was taken on file in C.C.No.484 of 2015 before the learned Judicial Magistrate, Valliyoor.



4.It appears that the petitioner 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 their relatives. 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 agreed to compromise the matter and no objection for quashing the entire proceedings in C.C.No.484 of 2015 on the file of the learned Judicial Magistrate, Valliyoor.

5.The parties namely, the petitioner and the second respondent 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 criminal proceedings in C.C.No.484 of 2015, on the file of the learned Judicial Magistrate, Valliyoor, 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 (Records)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

1. The Judicial Magistrate, Valliyoor.
2. The Inspector of Police,
Radhapuram Police Station,
Radhapuram, Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.P.M.VISHNUVARTHANAN, ADVOCATE IN SR No. 86762

MM

TE/MR-KKR/SAR-IV : 20/11/2017 : 2P/5C

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