



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) No.15520 of 2017

Deepak Kumar

... Petitioner

Vs.

State represented through

1. The Inspector of Police,
Thirupavanam Police Station,
Sivagangai District.
(Crime No.299 of 2013)

2. Madavan
3. Kalaivani

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for records relating to Crime No.299 of 2013 pending on the file of the first respondent and to quash the same in the interest of justice.

For Petitioner	: Mr.J.William Christopher
For R-1	: Mr.A.Ramar, Additional Public Prosecutor.
For R-2 & R3	: Mr.M.Chellapandiyan

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.299 of 2013 pending on the file of the first respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for respondents 2 and 3.

3.The petitioner is the accused in Crime No.299 of 2013 on the file of the file of the first respondent. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.299 of 2013, dated 02.07.2013, for the alleged offence under Section 304 of I.P.C.



4. It is the case of the accident. It appears that the parties, namely, the victim's wife who is the third respondent and the petitioner have compromised the matter, at the intervention of elders and well wishers and respondents 2 and 3 has agreed to not to proceed further with the complaint. The parties also have entered into a compromise. A Joint Compromise Memo, dated 25.10.2017, signed by the petitioner and respondents 2 and 3 in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, both the parties have agreed to quash the First Information Sheet in Crime No.299 of 2013 pending before the first respondent.

5. Today the parties, namely, the petitioner and respondents 2 and 3 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 or fruitful purpose will be served by keeping this matter pending. Hence, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the First Information Report in Crime No.299 of 2013 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(CSI)

/True Copy/

Sub-Assistant Registrar

(*) JOINT COMPROMISE MEMO XEROX COPY IS ENCLOSED HEREWITH
To

1. The Inspector of Police,
Thirupavanam Police Station,
Sivagangai District.
 2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- Pmu
RL/3C/2P/JC/SAR3/24/11/2017