



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P (MD) No.15707 of 2017

Veyilmuthu

... Petitioner/Sole Accused
Vs.

1. State rep. by,
The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
(Crime No.376 of 2017)

... 1st Respondent/Complainant

2. Sasikumar

... 2nd Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to First Information Report in Crime No.376 of 2017 on the file of the first respondent police and to quash the same as illegal.

For Petitioner : Mr.M.Prabu
For R-1 : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

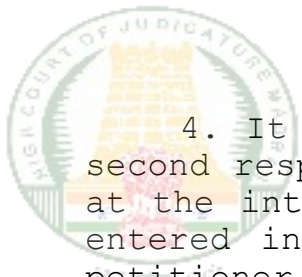
For R-2 : Mr.T.Poovanalingam

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.376 of 2017 on the file of the first respondent police, as illegal.

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 the second respondent.

3.The petitioner is the sole accused in Crime No.376 of 2017 on the file of the first respondent police. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.376 of 2017, dated 07.11.2017, for the offences under Sections 294(b), 506(ii) I.P.C., and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003.



4. It appears that the parties, namely, the petitioner and the second respondent have settled their dispute amicably out of Court, at the intervention of elders and relatives. The parties also have entered into a compromise. A Joint Compromise Memo signed by the petitioner and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the defacto complainant has agreed for quashing the First Information Report in Crime No.376 of 2017 on the file of the first respondent.

6. 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.

7. 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.376 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

Encl:Xerox copy of Compromise Memo

1.The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.

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

+1cc to Mr.M.PRABU Advocate in SR. No. 89214

PMU

JS/MR.KKR/SAR.2/12.12.2017/2P-4C

CRL OP(MD)No.15707 of 2017
24.11.2017