



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2017

CORAM

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

Cr1.O.P.(MD) No. 15876 of 2017

1.Sathesh Kumar

2.Rajan @ Rajakumar

3.Manonmani

...Petitioners

-Vs-

1. The State Represented by
The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
(Crime No.478 of 2017)

2.Prabha

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the FIR in Cr.No.478 of 2017 on the file of the Inspector of Police, Marthandam Police Station, Kanyakumari District and quash the same in the interest of justice.

For Petitioners	: Mr.C.Muthusaravanan
For R1	: Mr.K.S.Durai Pandian Additional Public Prosecutor
For R2	: Mr.P.Senrayar

ORDER

The Criminal Original Petition has been filed to call for the records and quash the FIR in Cr.No.478 of 2017 on the file of the Inspector of Police, Marthandam Police Station, Kanyakumari District.

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.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The petitioners are accused No. 1 to 3 in Cr.No.478 of 2017.



Based on the complaint lodged by the second respondent, a case was registered in Crime No.478 of 2017, by the respondent police for the offences punishable under Sections 366 and 506(i) IPC. It is stated that the first petitioner and the second respondent moved as friends and that there was some misunderstanding with the parents of the second respondent.

4.It appears that the petitioners 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 friends. A Joint Compromise Memo, dated 13.11.2017, signed by both parties, in the presence of their respective counsels, 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 expressed no objection for quashing the FIR in Cr.No.478 of 2017, on the file of the Inspector of Police, Marthandam Police Station, Kanyakumari District.

5.The parties 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 FIR in Cr.No.478 of 2017 on the file of the Inspector of Police, Marthandam Police Station, Kanyakumari District, 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.

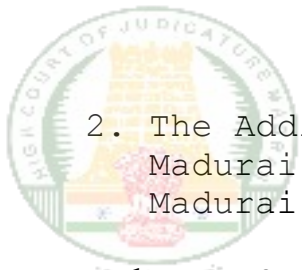
Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.



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

+1 cc TO Mr.C.Muthusaravanan , Advocate in SR No. 88146

+1 cc TO Mr.B.Brijesh Kishore , Advocate in SR No. 88048

mm

VB/KK/SAR2/30.11.2017/3P/5C

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