



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2017

CORAM

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.16042 of 2017

1.Madasamy
2.Selvaraj
3.Ganesh Babu

... Petitioners / Accused Nos.1 to 3

-Vs-

1. The State represented by
The Inspector of Police,
Thazhamuthunagar Police Station,
Thoothukudi District. ...1st Respondent / Complainant

2. Sanjeevi ... 2nd Respondent / De-facto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the proceedings in Crime No.424 of 2017 on the file of the first respondent police dated 06.08.2017 and quash the same.

For Petitioners : Mr.T.Antony Arul Raj
For R1 : Mr.K.S.Duraipandian
Additional Public Prosecutor
For R2 : Mr.M.Suresh Kumar

O R D E R

This Criminal Original Petition has been filed to quash proceedings in Crime No.424 of 2017 on the file of the first respondent police dated 06.08.2017.

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

3.The petitioners are the Accused No.1 to 3 in the criminal case in Cr.No.424 of 2017, pending on the file of the first respondent. Based on the complaint lodged by the second respondent, a case was registered in Crime No.424 of 2017, by the first respondent police, for the offences punishable under Sections 342, 323, 294(b) and 506(ii) IPC.

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4.After the registration of complaint, it appears that the



parties, namely, the petitioners and the second respondent have settled their dispute amicably out of Court, at the intervention of elders and relatives and they have also entered into a compromise. A Joint Compromise Memo, dated 10.11.2017, signed by both the parties, in the presence of their respective Counsels, is also produced before this Court. As per the Joint Compromise Memo, the second respondent has agreed to allow this petition and to quash the criminal complaint in Crime No.424 of 2017, pending on the file of the first respondent police.

5.Today, 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.In view of 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 the First Information Report in Cr.No.424 of 2017, on the file of the first respondent police, namely, the Inspector of Police, Thazhamuthunagar Police Station, Thoothukudi 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

Encl.: Xerox copy of Compromise Memo

To

1. The Inspector of Police,
Thazhamuthunagar Police Station,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.T.ANTONY ARUL RAJ, ADVOCATE IN SR No. 88782

CMR

TE/MR-KKR/SAR-2 : 06/12/2017 : 2P/4C

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Cr1.O.P.(MD) No.16042 of 2017
22.11.2017