



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2017

CORAM

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

Crl.O.P.(MD) No.16069 of 2017

1.Gopinath
2.Sedhu
3.Rajangam

... Petitioners/ Accused Nos.1 to 3

-Vs-

1. The State represented by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai Taluk,
Sivagangai District.

(in Crime No.655 of 2017) ...1st Respondent / Complainant

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

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records connected to the FIR in Crime No.655 of 2017 on the file of the respondent police and quash the same.

For Petitioners : Ms.M.Benazir Begum

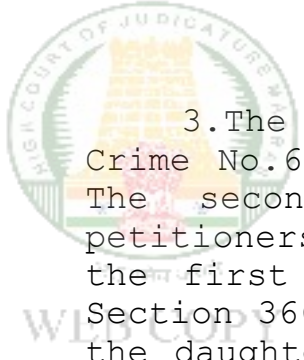
For R1 : Mr.K.S.Duraipandian
Additional Public Prosecutor

For R2 : Ms.K.M.Priscilla Jancy

ORDER

This Criminal Original Petition has been filed to call for the records connected to the FIR in Crime No.655 of 2017 on the file of the respondent police and quash the same.

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 Nos.1 to 3 in Crime No.655 of 2017 on the file of the first respondent police. The second respondent lodged a complaint, as against the petitioners, the same was registered in Crime No.655 of 2017, by the first respondent police, for the offences punishable under Section 366 IPC. It is not admitted that the first petitioner and the daughter of second respondent have married and their marriage was acknowledged as lawful and they are living together.

4.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 a compromise was also reached. A Joint Compromise Memo, dated 06.11.2017, signed by both the parties, in the presence of their respective Counsels, is also produced before this Court. As per the terms of the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed for quashing the First Information Report in Cr.No.655 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 admitted facts and 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.655 of 2017 pending on the file of the first respondent police, namely, the Inspector of Police, Sivagangai Town Police Station, Sivagangai 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(W)

/True Copy/

Sub Assistant Registrar

ENCL: Xerox Copy of Compromise Memo



To

1. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai Taluk,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cmr

AE/SKN RSK/SAR3/11.12.2017/3P/3C

CrI.O.P. (MD) No.16069 of 2017
23.11.2017