



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P (MD) No.16129 of 2017

1. Pandi
2. Kabilan
3. Alex Pandian
4. Arulpandi
5. Sudha

... Petitioners/Accused Nos.1 to 5
Vs.

1. State rep. by,
The Inspector of Police,
Checkkanurani Police Station,
Checkkanurani, Madurai District.
(Crime No.358 of 2017)

... 1st Respondent/Complainant

2. Veerammal

... 2nd Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the case in Crime No.358 of 2017 on the file of the first respondent police and to quash the same.

For Petitioners : Mr.J.Lawrance
For R-1 : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.
For R-2 : Mr.B.Arun

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.358 of 2017 on the file of the first respondent police.

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 petitioners are accused Nos.1 to 5 in Crime No.358 of 2017 on the file of the first respondent police. The first petitioner is the son of the second respondent. Despite the second respondent is the mother of the first petitioner, a complaint was lodged by the second respondent. Based on the complaint, a case was



registered in Crime No.358 of 2017, dated 02.07.2017, for the alleged offences under Sections 147, 148, 452, 294(b), 323, 324, 506 (ii) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002.

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 the family members and relatives. The parties also have entered into a compromise. A Joint Compromise Memo, dated 06.10.2017, signed by the petitioners and the de-facto complainant by putting her left hand thumb impression in the presence of their respective counsels is produced before this Court. As per the memo of compromise, the defacto complainant has agreed for quashing the First Information Report in Crime No.358 of 2017 on the file of the first respondent.

5. The parties, namely, the petitioners 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.

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.358 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(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Checkkanurani Police Station,
Checkkanurani, Madurai District.

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

+1cc to Mr.J.LAWRANCE Advocate in SR. No. 89193

PMU

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

JS/MR.KRR/SAR.3/11.12.2017/2P-4C

CRL OP(MD)No.16129 of 2017

24.11.2017