



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2017

CORAM :

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P (MD) No.16168 of 2017

1. R.Ramkumar @ Boobathy
2. K.Rajasri @ Raji
3. S.Senthilkumari

... Petitioners/Accused
(Rank not known)

Vs.

1. State rep. by,
The Inspector of Police,
Tenkasi Police Station,
Tirunelveli District.
(Crime No.01 of 2015)

... 1st Respondent/Complainant

2. Venkadesan

... 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 First Information Report in Crime No.01 of 2015 under Section 174 of Cr.p.C., and altered into Sections 498(A) and 304(B) of I.P.C., dated 01.01.2015 on the file of the first respondent and to quash the same as illegal.

For Petitioner : Mr.T.Lajapathi Roy

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

For R-2 : Mr.M.Arjunvarman

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.01 of 2015 which was registered under Section 174 of Cr.P.C., and altered into Sections 498(A) and 304(b) of I.P.C., dated 01.01.2015 on the file of the first respondent, as illegal.



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

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3. The petitioners are the accused in Crime No.01 of 2015 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.01 of 2015, dated 01.01.2015, for the offence under Section 174 of Cr.P.C., and later altered into Sections 498(A) and 304(b) of I.P.C.

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. The parties also have entered into a compromise. A Joint Compromise Memo, dated 21.11.2017, signed by the petitioner and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the memo of compromise, the second respondent has agreed for quashing the First Information Report in Crime No.01 of 2015 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.01 of 2015 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 (CO)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

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



To

1. The Inspector of Police,
Tenkasi Police Station,
Tirunelveli District.

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

PMU

TE/SKN-RSK/SAR-1 : 13/12/2017 : 3P/3C

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24.11.2017