



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:30.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD)No.16281 of 2017

Prabhakaran : Petitioner/sole accused

-Vs-

1. The Inspector of Police,
Panagudi Police Station,
Thirunelveli District.
(Crime No. 262 of 2014) : Respondent/Complainant

2. Vasantha : Respondent/Defacto Complainant

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the FIR in Crime No.262 of 2014 on the file of the first respondent police and quash the same.

For Petitioners : Mr.M.Subash Babu
For Respondent No.1 : Mr.K.S.Duraipandian
Additional Public Prosecutor
For respondent no.2 : Mr.R.Maheswaran

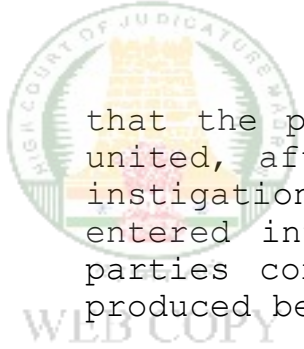
O R D E R

This Criminal Original petition is filed to call for the records pertaining to the FIR in Crime No.262 of 2014 on the file of the first respondent police and quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent no.1 and the learned counsel appearing for the second respondent.

3. The petitioner is the sole accused in Crime No.262 of 2014. It is also stated that the second respondent is the wife of the petitioner. On the basis of complaint received from the second respondent, a case was registered in Crime No.262 of 2014 as against the petitioner for the offences under Sections 294(b), 323, 506(i) of IPC r/w. Section 4 of Tamil Nadu Prohibition of Women Harassment Act on the file of the first respondent Police.

4. It is submitted that the petitioner and the second respondent are husband and wife and that they were living separately for some time. After registration of the complaint, it is stated



that the petitioner and the second respondent have once again reunited, after settling their issues amicably out of Court, at the instigation of the elders and well wishers and they have also entered into a compromise. A joint compromise memo signed by the parties concerned in the presence of their respective counsels is produced before this Court.

5. As per the joint compromise memo, the petitioner and the second respondent, who have appeared before this Court have stated in unequivocal terms that the Joint Compromise Memo was signed by them on their own will and volition. The identities 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 the Compromise Memo, the de facto complainant has agreed to withdraw the criminal case and the petitioner and the second respondent have requested this Court to quash the First Information Report in Crime No.262 of 2014, on the file of the first respondent Police.

7. In the said circumstances, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, on the basis of the compromise memo signed by the parties, the Criminal Original petition is allowed and the proceedings pending in Crime No.262 of 2014 on the file of the first respondent Police is quashed in toto. The Joint Compromise Memo, dated 16.11.2017 signed by the parties shall form part of the order.

Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

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

+ 1 CC TO Mr.M.SUBASH BABU, ADVOCATE IN SR No. 90755