

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 15.12.2017
CORAM**

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR**CRL.O.P. (MD) No.16308 of 2017**

K.Kabilan ... Petitioner/ Accused No.10

-Vs-

1.State through
The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District. ... 1st Respondent / De Jure
Complainant

2.Rajiv Gandhi ... 2nd Respondent/complainant

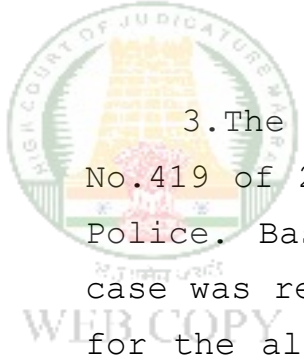
PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records connected with the case in Crime No.419 of 2016 pending on the file of the respondent police and quash the same as illegal regarding to the petitioner is concerned.

For Petitioner	: Mr.S.Malaikani
For 1 st Respondent	: Mr.K.S.Duraipandian Additional Public Prosecutor
For 2 nd Respondent	: Mr.R.Karunanidhi

O R D E R

This Criminal Original Petition has been filed to call for the records connected with the case in Crime No.419 of 2016 pending on the file of the respondent Police and quash the same as illegal regarding to the petitioner is concerned.

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



3. The petitioner is accused No.10 in the Criminal case in Crime No.419 of 2016 dated 13.09.2016 on the file of the first respondent Police. Based on the complaint lodged by the second respondent, a case was registered in Crime No.419 of 2016 by the first respondent for the alleged offences under sections 147, 148, 294(b), 324, 323 and 307 of the IPC and Section 27(1) of the arms Act.

4. It is submitted that the parties have settled their dispute amicably out of the Court at the intervention of well-wishers and have entered into a compromise. The Joint Compromise memo dated 21.11.2017, signed by the petitioner and the second respondent in the presence of their respective counsels and produced before the court. As per the Compromise Memo, the second respondent has agreed to quash the case in Crime No.419 of 2016 before 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 Crime No.419 of 2016 before the Inspector of Police, Paramakudi Town Police Station, Ramanathapuram District, in so far as the petitioner is concerned. 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 (T & P)

/True Copy/



To

(Encl. Xerox copy of Joint Compromise Memo)

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

+1cc to M/S.S.MALAIKANI, Advocate SR.No.92928.

CRL.O.P. (MD) No.16308 of 2017
15.12.2017

trp/vsg
SDS/GT/SAR 4/22.01.2018/3P/4C