



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Cr1.O.P.(MD) No. 16335 of 2017

1.Muthuramalingam
2.Palani

... Petitioners/Accused 1 and 2

-Vs-

1. The Inspector of Police,
Koodakovil Police Station,
Madurai District.
(Crime No.208 of 2017)

... Respondent/Complainant

2. Mahalingam

... 2nd Respondent/Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in connection with the Cr.No.208 of 2017 on the file of the first respondent police and quash the same.

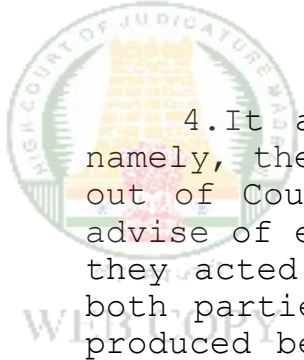
For Petitioners	: Mr.G.Thiruvarutselvan
For R1	: Mr.K.S.Durai Pandian Additional Public Prosecutor
For R2	: Mr.S.M.Sanjay

ORDER

The Criminal Original Petition has been filed to call for the records in connection with the Cr.No.208 of 2017 on the file of the first respondent and to quash the same.

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

3.The petitioners are the accused No.1 and 2 in Cr.No.208 of 2017. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 294 (b), 447, 427 IPC and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, by the respondent police.



4.It appears that the petitioners and the second respondent, namely, the de-facto complainant have settled their dispute amicably out of Court and they have also entered into a compromise, on the advise of elders and their well wishers. They have also stated that they acted upon the compromise. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent, has no objection for quashing the FIR in Cr.No.208 of 2017 on the file of the first respondent.

5.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.Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the FIR in Cr.No.208 of 2017 on the file of the first respondent / The Inspector of Police, Koodakovil Police Station, Madurai 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 (AS)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

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

CMR

TE/MR-KKR/SAR-2 : 15/12/2017 : 2P/3C

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