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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:30.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.16410 of 2017

1.Balasubramanian
2.Valli

: Petitioners/A1 and A2

-Vs-

1.The state rep. by
The Inspector of Police,
Thatchanallur Police Station,
Thirunelveli City.
(Crime No. 426 of 2017)

:1st Respondent/Complainant

2.Parvathy

:2nd 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.426 of 2017 on the file of the first respondent police and quash the same.

For Petitioners	: Mr.T. Selvan
For Respondent No.1	: Mr.K.S. Duraipandian Additional Public Prosecutor
For respondent no.2	: Mr. P. Banuprasath

O R D E R

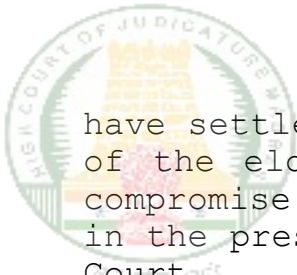
This Criminal Original petition is filed to call for the records pertaining to the FIR in Crime No.426 of 2017 on the file of the first respondent police and quash the same.

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

3. The petitioners are accused Nos. 1 and 2 in Crime No.426 of 2017. On the basis of complaint received from the second respondent, a case was registered in Crime No.426 of 2017 as against the petitioners for the offences under Sections 294(b), 448, 324, 506(ii) of IPC and Section 4 of TNPHW Act and subsequently, the offence was altered into Sections 294(b), 448, 324, 307, 498(A), 506(ii) of IPC and Section 4 of TNPHW Act on the file of the first respondent police.

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

4. After registration of the complaint, the parties appears to



have settled their dispute 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.

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5. As per the joint compromise memo, the petitioners 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 petitioners and the second respondent have requested this Court to quash the First Information Report in Crime No.426 of 2017, on the file of the first respondent Police. It is also stated that the first petitioner and the second respondent are now living together and leading happy married life.

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.426 of 2017 on the file of the first respondent Police is quashed in toto. The Joint Compromise Memo, dated 22.11.2017 signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CRL. SIDE)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Thatchanallur Police Station,
Thirunelveli City.

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

+1cc to Mr.T.SELVAN Advocate in SR. No. 90648

TRP

JS/GT/SAR.1/13.12.2017/2P-4C

CRL.O.P. (MD) No.16410 of 2017

30.11.2017