



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.12.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.16426 of 2017

G.Suresh Kumar

... Petitioner/Sole Accused

-Vs-

1. The State represented by
The Special Sub Inspector of Police,
District Crime Branch,
Virudhunagar,
Virudhunagar District.

...1st Respondent / Complainant

2.Divya

...2nd Respondent / De-facto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records of the case in Crime No.23 of 2015 pending on the file of the District Crime Branch Police Station, Virudhunagar District and quash the same.

For Petitioner

: Mr.M.Venkatesan

For R1

: Mr.K.S.Duraipandian
Additional Public Prosecutor

For R2

: Mr.S.Muthukumar

O R D E R

This Criminal Original Petition has been filed to call for the records of the case in Crime No.23 of 2015 pending on the file of the District Crime Branch Police Station, Virudhunagar District and quash the same.



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 the sole accused in the criminal case in Cr.No.23 of 2015 on the file of the first respondent police. Based on the complaint lodged by the second respondent, a case was registered in Crime No.23 of 2015 for the offences punishable under Sections 406, 420, 294(b) and 506(i) IPC, as against the petitioner.

4. It appears that the parties, namely, the petitioner and the second respondent have settled their dispute amicably out of Court, at the intervention of elders and well wishers and a compromise was also reached. A Joint Compromise Memo, dated 20.11.2017, signed by both the parties, in the presence of their respective Counsels, is also produced before this Court. As per the Joint Compromise Memo, the second respondent has agreed for quashing the First Information Report in Cr.No.23 of 2015 pending on the file of 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 Cr.No.23 of 2015 pending on the file of the Sub Inspector of Police, District Crime Branch, Virudhunagar, Virudhunagar



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.

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Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Special Sub Inspector of Police,
District Crime Branch,
Virudhunagar,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.M.VENKATESAN, Advocate SR.No.90631.

+1cc to M/S.S.MUTHUKUMAR, Advocate SR.No.90999.

CRL.O.P. (MD) No.16426 of 2017
04.12.2017

cmr

SDS/MR:KKR/SAR 1/18.12.2017/3P/5C