



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2017

CORAM

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD) No.16478 of 2017

1.Iyasamy
2.Nageswari
3.Balakrishnan

... Petitioners/ Accused 1 to 3

-Vs-

1. The State represented by
The Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.

... 1st Respondent / Complainant

2. Satheeskumar

...2nd Respondent / De-facto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records relating to the First Information Report in Crime No.164 of 2017 registered on the file of the first respondent / Vellichanthai Police station and quash the same.

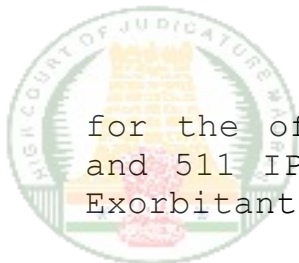
For Petitioners	: Mr.R.Karunanidhi
For R1	: Mr.K.S.Duraipandian Additional Public Prosecutor
For R2	:Mr.Joseph Satheanesan

ORDER

This Criminal Original Petition has been filed to call for the entire records relating to the First Information Report in Crime No.164 of 2017 registered on the file of the first respondent / Vellichanthai Police station and quash the same.

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

3.The petitioners are Accused Nos.1 to 3 in the criminal case in Cr.No.164 of 2017 on the file of the first respondent police. Based on the complaint lodged by the second respondent, a case was registered in Crime No.164 of 2017, as against the petitioners,



for the offences punishable under Sections 427, 447, 420, 506(i) and 511 IPC and Section 429 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003.

4. It appears that the parties, namely, the petitioners and the second respondent have settled their dispute amicably out of Court, at the intervention of elders and relatives and a compromise was also reached. A Joint Compromise Memo, dated 22.11.2017, 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 no objection for quashing the First Information Report in Cr.No.164 of 2017 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.164 of 2017 pending on the file of the Inspector of Police, Vellichanthai Police Station, Kanyakumari 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 (CS-III)

/True copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

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



+ 1 CC TO MR.R.Karunanidhi, ADVOCATE IN SR No. 90638
cmr
MK/KK/SAR-1/15.12.2017/3P/4C

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