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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP(MD)No.16558 of 2017

1. Lakshmanan
2. Valli @ Vallithai
3. Velu
4. Paramasivan
5. Lakshmi

... Petitioners/Accused Nos.1 to 5

Vs.

- 1.The State represented by,
The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No.73 of 2013)

... 1st Respondent /Complainant

- 2.Malaiyazhgu

... 2nd Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to Crime No.73 of 2013 on the file of the first respondent and to quash the same.

For Petitioners : Mr.D.Venkatesh

For R-1 : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

For R-2 : Mr.T.Lenin Kumar

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.73 of 2013 on the file of the first respondent.



respondent and the learned counsel appearing for the second respondent.

3. The petitioners are accused Nos. 1 to 5 in Crime No. 73 of 2013 on the file of the first respondent police. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No. 73 of 2013, dated 06.04.2013, for the offences under Sections 147, 294(b), 323 of I.P.C., and Section 4 of T.N.P.H.W. Act.

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. It is stated that the parties also have entered into a compromise. The Joint Compromise Memo, dated 29.11.2017, signed by the petitioners and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the parties have agreed for quashing the First Information Report in Crime No. 73 of 2013 pending on the file of the first respondent.

5. The parties, namely, the petitioners and the second respondent 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 or fruitful purpose will be served by keeping this matter pending. Hence, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the First Information Report in Crime No. 73 of 2013 on the file of the first respondent police, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

Encl: Xerox copy of compromise memo

1. The Inspector of Police,
Bangalore Police Station,
Tirunelveli District.



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

+1 cc TO Mr.D.Venkatesh , Advocate in SR No. 91745

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AE/KKR/SAR4/27.12.2017/3P/4C

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