



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2017

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

CRL.OP.(MD).No.16712 of 2017

1.S.M.Settu
2.Thangaponnu

.. Petitioners/Accused No.1 & 2

Vs.

1.The State through
The Inspector of Police,
Fort Police Station,
Trichy.

..Respondent/Complainant

2.Mrs.Neelambal

..Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the entire records connected with the case in Crime No.762 of 2017 pending on the file of the respondent police and quash the same as illegal regarding to the petitioner is concerned.

For Petitioners : Mr.S.Malaikani
For R1 : Mr.K.S.Durai Pandian,
Additional Public Prosecutor.
For R2 : Mr.R.Karunanidhi.

ORDER

This Criminal Original petition has been filed to call for the entire records connected with the case in Crime No.762 of 2017 pending on the file of the respondent police and quash the same. Insofar as the petitioners are concerned.

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

3.The petitioners are accused Nos. 1 and 2 in Crime No.762 of 2017 on the file of the first respondent police. The second respondent herein, lodged a complaint before the first respondent, which was registered in Crime No.762 of 2017, for the alleged offences punishable under Sections 294(b), 323 and 506(1) of I.P.C.



4.It appears that the petitioners and the second respondent have settled their dispute amicably out of Court and they have also entered into compromise. A Joint Compromise Memo dated 29.11.2017, signed by both parties, in the presence of their respective counsel, is also filed. As per the Joint Compromise Memo, the second respondent has no objection for quashing the charge sheet in C.C.No.762 of 2017, insofar as the petitioners are concerned.

5.The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own will and free 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 Government Advocate (Criminal side) 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 the Criminal proceeding in Cr.No.762 of 2017 on the file of the first respondent police, Fort Police Station, Trichy is quashed, insofar as the petitioners are concerned. 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-II)

Encl : Joint Compromise Memo

Xerox COPY

/True Copy/

Sub Assistant Registrar

dss/rmk

To

1.The Inspector of Police, Fort Police Station,
Trichy.

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

+1cc to Mr.S.Malakani, Advocate in SR.No.91302

GJM/CM/SAR-2-4.1.18-2p-4c

Cr1.O.P. (MD) .No.16712 of 2017

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