



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:20.12.2017
CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.16905 of 2017

Nayinar : Petitioner / Sole Accused

-Vs-

1. The state rep. by
The Inspector of Police,
Kalakkad Police Station,
Thirunelveli District.
(Crime No.244 of 2017) : 1st Respondent/Complainants
2. Venkatachalam : 2nd Respondents/ Defacto
Complainant

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to Crime No.244 of 2017 on the file of the first respondent Police and quash the same.

For Petitioner : Mr.D.Venkatesh
For Respondent No.1 : Mr.K.S.Duraipandian
Additional Public Prosecutor
For respondent no.2 : Mr.T.Leninkumar

O R D E R

This Criminal Original petition is filed to call for the records pertaining to Crime No.244 of 2017 on the file of the first respondent Police and quash the same.

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

3. The petitioner is the sole accused in Crime No.244 of 2017. On the basis of complaint lodged by the second respondent, a case was registered in Crime No.244 of 2017 as against the petitioner for the offences under Sections 294(b), 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Charging of Exorbitant Interest Act, 2003, on the file of the first respondent Police.

<https://hcservices.ecourts.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.

WEB COPY

5. As per the joint compromise memo the petitioner 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 petitioner and the second respondent have requested this Court to quash the First Information Report in Crime No.244 of 2017, on the file of the first respondent Police.

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.244 of 2017 on the file of the first respondent Police is quashed. The Joint Compromise Memo signed by the parties shall form part of this order.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

Encl.:Xerox Copy of Compromise Memo
To

1. The Inspector of Police,
Kalakkad Police Station,
Thirunelveli District.

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

+ 1 CC TO MR.D. Venkatesh, ADVOCATE IN SR No.94183

trp

<https://hccs.mca.gov.in/cse/cse1> MR/MD/SA/11/12/11.2017/2P/4C

CRL.O.P. (MD) No.16905 of 2017
20.12.2017