



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP(MD)No.17028 of 2017

WEB COPY

Pothak Karthick

... Petitioner/Sole Accused

Vs.

1. The State represented by,
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.684 of 2017)

... 1st Respondent /Complainant

2.Vellayan

... 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 the impugned First Information Report in Crime No.684 of 2017, dated 14.08.2017 on the file of the first respondent police and to quash the same as illegal.

For Petitioner

: Mr.S.Ragaventhre

For R-1

: Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

For R-2

: M/s.S.T.Kanimozhi

ORDER

This Criminal Original petition is filed for quashing the impugned First Information Report in Crime No.684 of 2017, dated 14.08.2017 on the file of the first respondent police, as illegal.

2. Heard the learned counsel appearing for the petitioner and 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 Crime No.684 of 2017 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.684 of 2017, dated 14.08.2017, for the alleged offences under Sections 341, 294(b), 384, 506(ii) of I.P.C.

1. 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 relatives. It is stated that the parties also have entered into a compromise. A Joint Compromise Memo, dated 07.12.2017, signed by the petitioner and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the defacto complainant has agreed for quashing the First Information Report in Crime No.684 of 2017 on the file of the first respondent.

5. The parties, namely, the petitioner 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.684 of 2017 on the file of the first respondent, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Joint Compromise Memo

To

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

+1cc to Mr.S.Ragaventhre, Advocate Sr.No.93043

PMU

VB/JC/SAR2/18/01/2018/2P/4C

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14.12.2017