



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD) No.17141 of 2017

1.Ajith

2.Divyaprakash

... Petitioners/ Accused Nos. 1 & 5

Vs

1.State Represented by

The Sub-Inspector of Police,
Thalakulam Police Station,
Madurai City.

(Crime No.1876 of 2017)

... 1st Respondent /Complainant

2.Madhankumar

... 2nd Respondent/De-facto Complainant

PRAYER : Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the proceedings in Crime No.1876 of 2017 on the file of the first respondent Police.

For Petitioner

: Mr.V.Thirumal

For 1st Respondent

: Mr.K.S.Duraipandian

Additional Public Prosecutor

For 2nd Respondent

: Mr.S.Sivabalan

COMMON ORDER

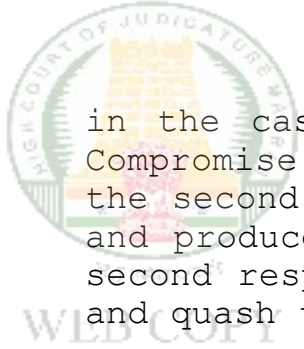
This Criminal Original Petition has been filed to call for the records and quash the proceedings in Crime No.1876 of 2017 on the file of the first respondent Police.

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 and 5 in Crime No.1876 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.1876 of 2017 for the alleged offences u/s 147, 148, 323, 324, 341 and 506(ii) IPC.

<https://hcservices.ecourts.gov.in/hcservices/>

4. It appears that the parties have settled their dispute amicably out of Court. The petitioners and the second respondent



in the case said to have entered into a compromise and a Joint Compromise Memo dated 11.12.2017, signed by the petitioners and the second respondent in the presence of their respective counsels and produced before the court. In the Joint Compromise Memo, the second respondent in the case has agreed to compromise the matter and quash the First Information Report in the crime.

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 Crime No.1876 of 2017 on the file of the Sub-Inspector of Police, Thalakulam Police Station, Madurai City is quashed in toto. The Joint Compromise Memos signed by the parties shall form part of the order.

7. Accordingly, these Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

Enclosure: The Joint Compromise Memo signed by the parties shall form part of the order (Xerox Copy)

1. The Sub-Inspector of Police,
Thalakulam Police Station,
Madurai City.

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

+1cc to M/S.V.Thirumal, Advocate SR.No. 92985

CRL.O.P. (MD) No.17141 of 2017
15.12.2017

trp/vsg