



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**CRL.O.P.(MD) No.17242 of 2017

Kingsily : Petitioner/Sole Accused
-Vs-

1.The State Rep.By
The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
(in Crime No.275 of 2017) : 1st Respondent / Complainant

2.Amala : 2nd Respondent/De-facto
Complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the first information report in Cr.No. 275 of 2017 on the file of the Inspector of Police, Rajakkamangalam Police Station, Kanyakumari District and quash the same.

For Petitioner : Mr.B.Jeyakumar

For R1 : Mr.K.S.Duraipandian
Additional Public Prosecutor

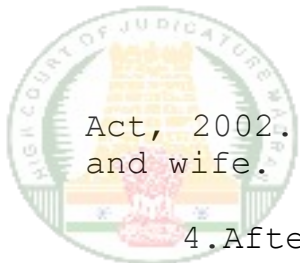
For R2 : Mr.V.P.Rajan

O R D E R

This Criminal Original Petition has been filed to call for the first information report in Cr No. 275 of 2017 on the file of the Inspector of Police, Rajakkamangalam Police Station, Kanyakumari District and quash the same.

2.Heard the learned Counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the first respondent and the learned Counsel appearing for the second respondent.

3.The petitioner is sole the accused criminal case in Cr.No.275 of 2017 on the file of the Inspector of Police, Rajakkamangalam Police Station, Kanyakumari District. Based on the complaint lodged by the second respondent, a case was registered in Crime No.275 of 2017 for the offences punishable under Sections 323 and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women



Act, 2002. The petitioner and the second respondent is the husband and wife.

4. After registration of complaint, it appears that the parties, namely, the petitioner and the second respondent have united and living together as husband and wife as on date and they have settled their dispute amicably out of Court, at the intervention of elders and relatives and a compromise was also reached. A Joint Compromise Memo, dated 08.12.2017, signed by both the parties, in the presence of their respective Counsels, is also produced before this Court. As per the Joint Compromise Memo, the second respondent has agreed to withdraw the complaint and expressed that she has no objection for quashing the criminal proceedings in Cr.No.275 of 2017 pending on the file of the Inspector of Police, Rajakkamangalam Police Station, Kanyakumari District.

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 criminal case in Cr.No.275 of 2017 pending on the file of the Inspector of Police, Rajakkamangalam Police Station, Kanyakumari District, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order. Accordingly, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CRL. SIDE)

/True Copy/

Sub Assistant Registrar

To

Encl: Xerox copy of Compromise Memo

1. The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.

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

+1cc to Mr. B. JEYAKUMAR Advocate in SR. No. 93314

CMR

JS/KK/SAR.3/04.01.2018/2P-4C

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