

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 21.12.2017****CORAM:****THE HONOURABLE MR. JUSTICE S.S.SUNDAR****CRL.O.P. (MD) No.17584 of 2017**

Kevin

: Petitioner / sole accused

-Vs-

1. The state rep. by
The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime NO.399 of 2017)

2.Nelson

3.Anandhi

: Respondents

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the proceedings in Crime No.399 of 2017 on the file of the first respondent police and quash the same.

For Petitioner : Mr.K.P. Narayanakumar

For Respondent No.1 : Mr.K.S. Duraipandian

Additional Public Prosecutor

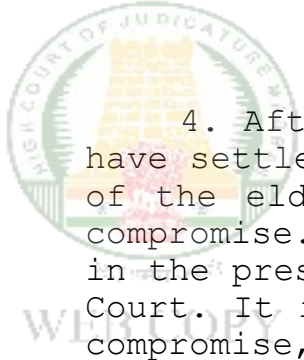
For respondent No.R1 & R3 : Mr.M.N. Rajapanth

O R D E R

This Criminal Original petition is filed to to call for the records relating to the proceedings in Crime No.399 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.399 of 2017. On the basis of complaint lodged by the second respondent, a case was registered in Crime No.399 of 2017 as against the petitioner for the offences under Sections 294(b), 307 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, on the file of the first respondent Police.



4. After registration of the complaint, the parties appear 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. It is stated that the parties are husband and wife and after compromise, they are living together and leading happy married life.

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.399 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.399 of 2017 on the file of the first respondent Police is quashed in toto. The Joint Compromise Memo, dated 13.12.2017 signed by the parties shall form part of the order.

Sd/-

Assistant Registrar (T & P)

/True Copy/

Sub Assistant Registrar

To

(Encl. Xerox copy of Joint Compromise Memo)

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

+1cc to M/S.K.P.NARAYANA KUMAR, Advocate SR.No.94660.

CRL.O.P. (MD) No.17584 of 2017
21.12.2017