



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.17580 of 2017

WEB COPY

D. Pandithurai : Petitioner / sole accused

-Vs-

1. The state rep. by
The Inspector of Police,
Uthirakosamangai Police Station,
Ramnad District.
(Crime No.52 of 2017)

2. Mangalam : Respondents

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records FIR in Crime No.52 of 2017, dated 06.08.2017 on the file of the Inspector of Police, Uthirakosamangai Police Station, Ramnad District and quash the same as against the petitioner.

For Petitioner : Mr.K.Mathan
For Respondent No.1 : Mr.K.S.Duraipandian
Additional Public Prosecutor
For respondent no.2 : Mr. S.Selvakumar

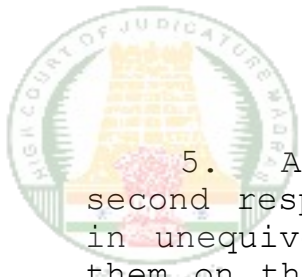
O R D E R

This Criminal Original petition is filed to call for the records pertaining to the FIR in Crime No.52 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.52 of 2017. On the basis of complaint lodged by the second respondent, a case was registered in Crime No.52 of 2017 as against the petitioner for the offences under Sections 294(b), 323 of IPC and Section 4 of Tamil Nadu prohibition of Harassment of Women Act, 2002 on the file of the first respondent Police.

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.



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.52 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.52 of 2017 on the file of the first respondent Police is quashed as against the petitioner. The Joint Compromise Memo, dated 18.12.2017 signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

Enclosure : The Joint Compromise Memo (Xerox Copy)

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

+1cc to M/S.K.Mathan, Advocate SR.No. 94614

CRL.O.P. (MD) No.17580 of 2017

trp

JM/MR/SAR 4/02.02.2018/2P/4C