



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD).No.17624 of 2017

WEB COPY

1.V.Anjalai

2.Rajkumar

... Petitioners / Accused Nos.1 and 2

Vs.

1.State represented by

The Inspector of Police,

South Police Station,

Thoothukudi District.

(Crime No. 887 of 2011)

... 1st Respondent / Complainant

2.Esakkimuthu

...2nd Respondent / Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the entire records in relating to the entire proceedings of FIR in Crime No.887 of 2011 on the file of the first respondent and quash the same.

For Petitioners : Mr.K.S.Bharathy

For R-1 : Mr.K.S.Duraipandian
Additional Public Prosecutor.

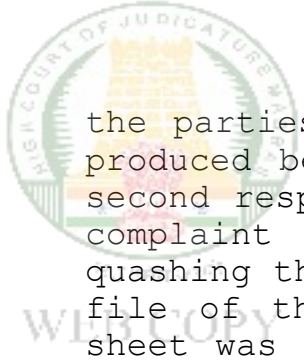
For R-2 : Mr.N.Ramesh Arumugam

ORDER

This Criminal Original Petition is filed to call for the entire records in relation to the entire proceedings of FIR in Crime No.887 of 2011 on the file of the first respondent.

2.The petitioners are accused in Crime No.887 of 2011 on the file of the first respondent. Based on the complaint lodged by the second respondent, a case was registered in Crime No.887 of 2011 as against the petitioners and others for the alleged offences punishable under Sections 294(b), 323, 324 and 307 IPC and Section 4 of TNPHW Act.

3. It appears that at the instigation of elders and relatives, the parties namely the petitioners and the second respondent have settled their dispute amicably out of Court and they have also entered into a compromise. A Joint Compromise Memo, 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 / de-facto complainant has agreed to withdraw the complaint and further expressed that she has no objection for quashing the First Information Report in Crime No.887 of 2011 on the file of the first respondent. Though it is stated that a charge sheet was filed in the year 2012, it is admitted that the same is not yet to be taken on file.

4.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.

5.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 First Information Report in Crime No.887 of 2011 on the file of the first respondent police, namely, The Inspector of Police, South Police Station, Thoothukudi District, is quashed insofar as the petitioners are concerned. The Joint Compromise Memo signed by the parties shall form part of the order.

6.Accordingly, the Criminal Original Petition is allowed.

ENCL:Xerox Copy of Joint Compromise Memo.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
South Police Station,
Thoothukudi District.

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

+1cc to Mr.M.S.JEYAKARTHIK, Advocate, SR. 94199

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