



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP(MD)No.17820 of 2017

WEB COPY

Ramesh

... Petitioner/4th Accused

Vs.

1. The State represented by,
The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli.

... 1st Respondent /Complainant

2.Murugaiah

... 2nd Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.432 of 2013, pending on the file of the Inspector of Police, Kadayanallur Police Station, Tirunelveli and to quash the same in so far as the petitioner is concerned.

For Petitioner	: Mr.A.Sivasubramanian
For R-1	: Mr.K.S.Durai Pandiyan, Additional Public Prosecutor.
For R-2	: Mr.P.Samual Gunasingh

ORDER

This Criminal Original petition is filed for quashing the First Information Report in Crime No.432 of 2013 on the file of the Inspector of Police, Kadayanallur Police Station, Tirunelveli.

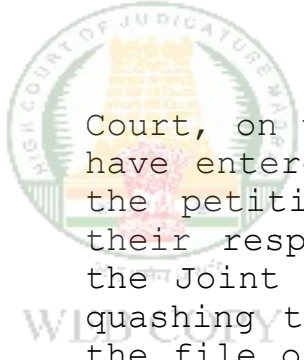
2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3.The petitioner is the fourth accused in Crime No.432 of 2013 on the file of the first respondent police. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.432 of 2013, dated 11.12.2013, for the alleged offences under Sections 147, 294(b) and 506(i) I.P.C.

4. Learned Additional Public Prosecutor on instructions submitted that Charge Sheet is filed and it is yet to be taken on file.

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

5. It appears that the parties, namely, the petitioner and the second respondent have settled their dispute amicably out of



Court, on the advise of the elders and relatives. The parties also have entered into a compromise. A Joint Compromise Memo signed by the petitioner and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the defacto complainant has agreed for quashing the First Information Report in Crime No.432 of 2013 on the file of the first respondent/Inspector of Police, Kadayanallur Police Station, Tirunelveli.

6. Today, the parties, namely, the petitioner and the second respondent 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.

7. Having regard to 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, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the First Information Report in Crime No.432 of 2013 on the file of the first respondent/Inspector of Police, Kadayanallur Police Station, Tirunelveli, is quashed in so far as the petitioner is concerned. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Joint Compromise Memo

To

1. The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.A.Sivasubramanian, Advocate Sr.No.94443

PMU

VB/JC/SAR2/18/01/2018/2P/4C

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