



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) No.17896 of 2017

Thavamani

... Petitioner/ Sole Accused

Vs.

1. The State Represented by its,
Sub- Inspector of Police,
Aruppukottai Police Station,
Virudhunagar District.
(Crime No.809 of 2017)

... 1st Respondent/Complainant

2.Kannan

... 2nd Respondent/Informant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.809 of 2017 on the file of first respondent and quash the same.

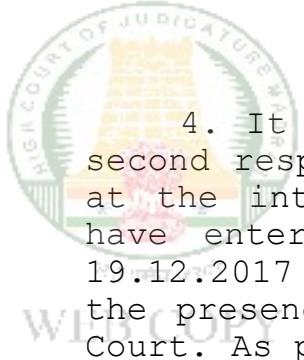
For Petitioner	: Mr.A.Baskaran
For R-1	: Mr.K.S.Durai Pandiyan, Additional Public Prosecutor.
For R-2	: Mr.B.Muneeswaran

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.809 of 2017 on the file of first respondent.

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 sole accused in Crime No.809 of 2017 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.809 of 2017, dated 09.11.2017, for the alleged offence under Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003.



4. It appears that the parties, namely, the petitioner and the second respondent have settled their dispute amicably out of Court, at the intervention of elders and well wishers. The parties also have entered into a compromise. A Joint Compromise Memo, dated 19.12.2017 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 no objection for quashing the First Information Report in Crime No.809 of 2017 on the file of first respondent.

5. 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.

6. 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.809 of 2017 on the file of first respondent, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

1. The Sub- Inspector of Police,
Aruppukottai Police Station,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

PMU

TE/SV-MMS/SAR-3 : 17/01/2018 : 2P/3C
<https://hcservices.ecourts.gov.in/hcservices/>

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