

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 13.07.2017
CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDAR**Cr1.O.P. (MD) No.15673 of 2016**

M.Selvam

... Petitioner/Accused

-Vs-

1. The State, Represented by
The Inspector of Police,
All Women Police Station,
Kanyakumari District.

... Respondent/Complainant

2. R.Sangeetha

...Respondent/De-facto complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the records relating to the FIR in Crime No.38/2015 on the file of the Inspector of Police, All Women Police Station, Nagercoil, Kanyakumari District and quash the same.

For Petitioner	: Mr.Ka.Raama Krishnan.
For R1	: Mr.K.Anbarasan, Government Advocate(Crl.side).
For R2	: Mr.K.Karmegam.

O R D E R

This petition has been filed to call for the records relating to the FIR in Crime No.38/2015 on the file of the Inspector of Police, All Women Police Station, Nagercoil, Kanyakumari District and to quash the same.

2.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the first respondent and the learned counsel appearing for the second respondent.

2. It is seen that a case in Crime No.38 of 2015 for the alleged offences under Section 376 of IPC., dated 30.11.2015 has been registered against the petitioner.

3. It is submitted that the parties have entered into compromise at the intervention of elders in their villages and they have filed a joint compromise memo, dated 15.08.2016, duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the second



respondent has agreed to quash FIR in Crime No.38 of 2015, pending on the file of the first respondent Police.

4. When the matter is taken up for hearing, the petitioner and the second respondent appeared in person and they have submitted that they have signed in the compromise memo out of their own will and volition. The petitioner and the second respondent got married and living happily.

5. The identity of the parties, who signed in the compromise memo, were also verified by this Court through authenticated documents produced by them. Apart from that, identity of those persons are confirmed by the learned Government Advocate (Crl.side) through the respondent police.

6. Accordingly, this Court is of the view that no useful purpose will be served by keeping this matter pending before this Court. Hence, this Criminal Original Petition is allowed and FIR in Crime No.38 of 2015, pending on the file of the first respondent Police in respect of the petitioner, is quashed on the basis of the compromise entered into between the parties. The compromise memo, dated 15.08.2016, shall form part of this order.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

(Enclose xerox copies of Compromise memo)

1.The Inspector of Police,
All Women Police Station,
Kanyakumari District.

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

+1cc to M/S. Ka.RAAMA KRISHNAN, Advocate, SR.No.

Crl.O.P.(MD) No.15673 of 2016
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