



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.2904 of 2017

1.Duraisamy
2.Chandrasekar
3.Shanmuganathan

: Petitioners

-vs-

State through by

1.The Inspector of Police,
Thottiyam Police Station,
In Crime No.311 of 2016,
Trichy District.

2.Kannan

: Respondents

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure to call for the records relating to the FIR in Crime No.311 of 2016 on the file of the first respondent and quash the same.

For Petitioners	:	Mr.M.Subash Babu
For Respondent No.1	:	Mr.K.Anbarasan, Government Advocate (Crl.side)
For Respondent No.2	:	Mr.M.Chandra Bose

O R D E R

On the complaint lodged by one Kannan, the first respondent police registered a case in Crime No.311 of 2016, on 15.10.2016 for offences under Sections 294(b), 323 and 506(1) of the Indian Penal Code, against the petitioners herein, challenging which, the accused and the *defacto* complainant are before this Court for quashing the First Information Report against the petitioners on the ground that they have arrived at a compromise.

2. Today, when the matter is taken up for hearing, Mr.C.John Peter, Special Sub-Inspector of Police, Thottiyam Police Station, is present in Court. The *defacto* complainant is present and the accused are also present and their identifications were also verified by this Court, in addition to the confirmation of the interested parties by the learned Government Advocate (Criminal side) through Mr.C.John Peter, Special Sub-Inspector of Police, Thottiyam Police Station.



3. The petitioners and the second respondent have filed a joint compromise memo dated 19.12.2016, in which, it has been stated as follows:

"1. The petitioners submit that now they as well as the 2nd respondent are arrived compromise and amicably settled the issue out of court with the help of elders and relatives. Further the petitioners and the defacto complainant are close friends and belonging to the same area, there is no serious motive behind them. Since the matter has been settled amicably the 2nd respondent has no objection for quashing the FIR in Crime No.311/2016 on the file of the 1st Respondent police and thus render justice."

4. In view of the joint memo of compromise dated 19.12.2016, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, this petition is allowed and the entire proceedings in Crime No.311 of 2016 pending on the file of the first respondent police in respect of all the accused are hereby quashed. The joint compromise memo dated 19.12.2016 shall form part of this order. However, the petitioners are directed to pay a sum of Rs.500/- (Rupees Five Hundred only) each, to M.S.Chellamuthu Trust & Research Foundation, No.643, K.K.Nagar, Madurai-625 020, within a period of two weeks from today.

5. Post the matter on 05.04.2017 "for reporting compliance".

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To:

(*) JOINT COMPROMISE MEMO XEROX COPIES ARE ENCLOSED HEREWITH

1. The Inspector of Police,
Thottiyam Police Station, Trichy District.

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

Copy to:

M.S.Chellamuthu Trust & Research Foundation,
No.643, K.K.Nagar, Madurai-625 020.

SML

RL/4C/2P/MR/24.3.2017

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

Order made in
Cr1.O.P.(MD) No.2904 of 2017

Dated: 16.03.2017