



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2017

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

Crl.O.P.(MD) No.3153 of 2017

1.Kaliyappan

2.N.R.Syed Atham

: Petitioners

-vs-

1.The State rep. by,
The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District,
(Crime No.413 of 2016).

2.Varusai Iqbal

: 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.413/2016 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.M.Sivasankar

For Respondents 1 : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

For Respondent No.2 : Mr.V.B.Sundhareshwar

O R D E R

This petition has been filed seeking to quash the FIR in Crime No.413/2016 on the file of the 1st respondent police, pursuant to the amicable settlement effected between the parties.

2. On the complaint lodged by one Varusai Iqbal, the respondent police registered a case in Crime No.413 of 2016 for offences under Sections 381 of the Indian Penal Code, challenging which, the accused and the *defacto* complainant are before this Court for quashing the FIR against the petitioners on the ground that they have arrived at a compromise.

3. Today, when the matter is taken up for hearing, Ms.M.Tamilselvi, Sub Inspector of Police, Thirumangalam Police Station, appeared in person on behalf of the second respondent. The *defacto* complainant-Varusai Iqbal is present and the accused are also present and their identifications were also verified by this Court, in addition to the confirmation of the identity of the



parties by the learned Government Advocate (Criminal side) through Ms.M.Tamilselvi, Sub Inspector of Police, Thirumangalam Police Station.

4. The petitioners and the third respondent have filed a joint compromise memo dated 13.02.2017, in which, it has been stated as follows:

"3. It is respectfully submitted that subsequent to the filing of FIR as against the petitioners/Accused No.1 and 2, the de-facto complainant as well as the petitioners have amicably resolved their differences and settled the entire dispute at the instance of the elders of both sides. The de-facto complainant is not interested in prosecuting the petitioner further. Hence, the de-facto complainant has no objection in allowing the above quash petition since the matter has been amicably settled between both parties."

5. In view of the joint memo of compromise dated 16.03.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, the FIR in Crime No.413/2016 on the file of the first respondent police, in respect of all the /accused, are hereby quashed.

6. Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties. The joint compromise memo dated 16.03.2017 shall form part of this order.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To:

1.The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

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

+2 CC TO MR.M.SIVASANKAR,ADVOCATE,SR NO.16534

+1 CC TO MR.V.B.SUNDARESHWAR,ADVOCATE,SR NO.16535

RR

MAS/MR/SAR4:06.04.2017:2P-6C