



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2017

CORAM

WEB COPY

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

Crl.O.P.(MD) No.7644 of 2017

- 1.Balamurugan
- 2.Ramachandran
- 3.Balasubramanian @ Subramani
- 4.Sudhakar

: Petitioners/Accused Nos.1 to 4

-vs-

- 1.The State rep. by
the Inspector of Police,
Muthaiahpuram Police Station,
Thoothukudi, Thoothukudi District
in Crime No.144 of 2017

:Respondent /Complainant

- 2.Raju

: Respondent/Defacto Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records of FIR in Crime No.144/2017 on the file of the 1st respondent and to quash the same as illegal.

For Petitioners	:	Mr.S.Sathya Chidambaram
For Respondent No.1	:	Mr.K.Anbarasan
		Government Advocate (Crl. side)
For Respondent No.2	:	Mr.P.Marthandan

O R D E R

On the complaint lodged by one Raju/2nd respondent, the first respondent police registered a case in Crime No.144 of 2017 for offences under Sections 341, 294(b), 323 & 506(i) IPC against the petitioners, challenging which, the accused and the defacto complainant are before this Court for quashing the FIR in Crime No.144 of 2017 against the petitioners on the ground that they have arrived at a compromise.

2. Today, when the matter is taken up for hearing, P.Subramanian, Inspector of Police, Muthaiahpuram Police Station, Thoothukudi, 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 identity of the parties by the learned counsel for the 2nd



3. The petitioner and the second respondent have filed a joint compromise memo dated 16.06.2017, in which, it has been stated as follows:

"2. We submit that now the both the petitioners and the defacto complainant arrived at a compromise with the help of elders. On the basis of compromise both the petitioners and the defacto complainant decided not to prosecute the case. Further the matter was amicably settled among them. There is nothing survived in the case and both of them have no objection to quash in Cr.No.144/2017 on the file of the Inspector of Police, Muthiahpuram Police Station, Thoothukudi District.

It is prayed that this Hon'ble Court may be pleased to call for the records of FIR in Cr.No.144/2015 on the file of the 1st respondent and to quash the same as illegal and pass such further or other orders as this Hon'ble Court may deem fit and proper in the above circumstances and thus render justice."

4. In view of the joint compromise memo dated 16.06.2017, 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 FIR in Crime No.144/2017 pending on the file of the respondent police, in respect of all the accused, including the accused, who are not before this Court, are hereby quashed. The joint compromise memo dated 16.06.2017 shall form part of this order. However, petitioners are directed to pay a sum of Rs.500/- (Rupees five hundred only) each, to Rojavanam, Homeless and Aged Care Centre, Melur Road, Uthangudi, Madurai, within a period of two weeks from today.

Sd/-

Assistant Registrar(CS-I)

/ True Copy /

Sub Assistant Registrar(C.S.)

To:

Joint Compromise memo Xerox copies are enclosed

1. The Inspector of Police,
Muthiahpuram Police Station,
Thoothukudi.
 2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
 3. Rojavanam, Homeless and Aged Care Centre,
Melur Road, Uthangudi, Madurai.
- +1cc to M/S.S.SATHYA CHIDAMBARAM, Advocate SR.No.61405

RR

MAS/MR-KKR/SAR3:05.07.2017:2P-5C