



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD)No.7887 of 2017

1.Meenal @ Meena
2.Muthukaruppan @ Muthu
3.Lakshmaman ...Petitioners/Accused No.1 to 3

Vs.

1.The State,
by the Inspector of Police,
Kumbakonam Taluk Police Station
Thanjavur District.
....Ist Respondent/Complainant
2.Lathangi ...IInd Respondent/De-facto
Complainant

PRAYER: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying this Court to call for the records pertaining to Crime No.548 of 2016, on the file of the first respondent Police and to quash the same.

For Petitioner : M/s.D.Venkatesh
For Respondent-1 : Mr.K.Anbarasan
Govt. Advocate(Crl.Side)

For Respondent-2 :Mr.T.Lenin Kumar

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.548 of 2016, on the file of the first respondent Police

2.Heard the submissions of M/s.D.Venkatesh, learned counsel for the Petitioners and Mr.K.Anbarasan, learned Government Advocate(Crl.side)appearing for the first respondent/State and Mr.T.Lenin Kumar, learned counsel appearing for the second respondent and perused the materials placed before this Court including the joint compromise memo filed by both the parties.

3.Based on the complaint of the second respondent, the first respondent/Police registered a case in Crime No.548 of 2016, for the offence under Sections 448, 294(b),354 and 506(ii) of IPC. Subsequent to the criminal case, there was a mediation between the



parties and the dispute among them was amicable settled out of Court. In view of the compromise, the parties have agreed that they are not willing to proceed against each other. The compromise memo signed by the parties, dated 9.5.2017 is produced before this Court. As per the compromise, the parties have settled their dispute and that the second respondent has no objection for quashing the proceedings in Crime No.548 of 2016. Today the parties appear before this Court and submitted that they have compromised the matter. They have signed the compromise memo out of their own will and free volition. The identity of the parties are verified with reference to the authenticated documents produced before this Court by the parties concerned. The identity of the parties are also confirmed by the learned Government Advocate (Crl.Side) through the first respondent/Police.

4. With regard to the status of the second respondent, the second respondent, as on date, stated to be the wife of one Sanjeev Kumar. However, the second respondent has been described in the above Crl.O.P as wife of one Arumairaj. The explanation offered is that the second respondent has married one Arumairaj now.

5. Having regard to the specific terms in the joint compromise memo, this Court is of the view that no useful purpose will be served in keeping this petition pending. Hence, in the circumstances stated above, this Court is inclined to quash the FIR registered against the Petitioners on the basis of the Joint Compromise Memo, dated 09.05.2017 filed by both the parties.

6. Accordingly, this Criminal Original Petition is allowed and the FIR in Crime No. 548 of 2016, pending on the file of the respondent No.1/Police is quashed. The Joint compromise memo, dated 09.05.2017 shall form part and parcel of this order.

Sd/-

Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To

(*) THE JOINT COMPROMISE MEMO DATED 09/05/2017 SHALL FORM PART AND PARCEL OF THIS ORDER

1. The Inspector of Police,

Kumbakonam Taluk Police Station Thanjavur District.

2. The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

+One cc to Mr.D.Venkatesh, Advocate, SR.No.67449

vsn

RL/4C/2P/JC/SAR2/31/7/2017

ORDER MADE IN

CRL.OP.(MD) No.7887 of 2017

24.07.2017