



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE **S.S.SUNDAR**

Cr1.O.P.(MD).No.8871 of 2017

1.Raj @ Arockiyaraj
2.Nondi @ Paralogaraj
3.Kundha @ Anthonyraj
4.Rajasekar
5.Thaveethu
6.Jesuamaladass
7.Punnaivannan @ Sebastian ... Petitioners /Accused No.1 to 7
Vs.

1.State Represented by
The Sub-Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
In Crime No.81 of 2017 ...Respondent No.1/Complainant

2.Paralogaraj .. Respondent No.2/De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to record the compromise reached between the petitioners/accused No.1 to 7 and 2nd respondent/de-facto complainant and call for the records in the case in Crime No.81 of 2017 on the file of the 1st respondent and quash the same as illegal.

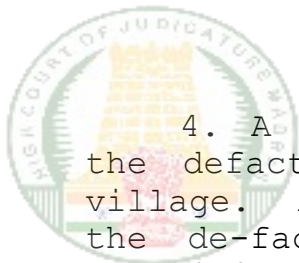
For Petitioner : Mr.S.Kumaravel
For Respondents : Mr.K.Anbarasan
Government Advocate (Criminal side)

O R D E R

This petition is filed seeking a direction to record the compromise reached between the petitioners/accused No.1 to 7 and 2nd respondent/de-facto complainant and call for the records in the case in Crime No.81 of 2017 on the file of the 1st respondent and quash the same as illegal.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Cr1. Side) appearing for the respondent.

3.The petitioners in Cr1.O.P.No.8871 of 2017 are the accused 1 to 7 in Crime No.81 of 2017 on the file of Sub-Inspector of Police, Nathampatti police station, Virudhunagar District.



4. A Compromise was entered into between the petitioners and the defacto complainant at the intervention of elders in their village. As per the compromise, it is seen that the petitioner and the de-facto complainant are residing in the same street and worshipping the same temple. After the incident, the accused and the defacto complainant appears to have entered into a compromise, thereby amicably settled the disputes out of the Court. Today, before this court the parties appeared in person and submitted in unequivocal terms that the compromise memo was signed by them on their own will and volition.

4. The identifications 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.

5. In the above circumstances this Court is inclined to allow this petition as no useful purpose will be served by keeping this matter pending before this Court. Hence recording the statements of the learned counsels on both sides, and in tune with the compromise memo signed by the parties, this Court is inclined to pass the following direction:

"The Criminal Original Petition is allowed and the Crime No.80 of 2017, on the file of the 1st respondent, is quashed on the basis of joint compromise memo. The joint compromise memo shall form part of this order."

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Sub-Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.

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

+1cc to Mr.S.KUMARAVELU Advocate in SR. NO.65124

TA/VSA

JS/GT/SAR.1/1.8.2017/2P-4C

Crl.O.P. (MD) .No.8871 of 2017
13.07.2017