



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD)No.9041 of 2017

1.M.Saravanan

2.M.Selvarajan

...Petitioners/Accused No.1&2

Vs.

1.The Inspector of Police,
D1, Tallakulam Police Station
Madurai District.
(Crime No.1053/2015)

....Ist Respondent/Complainant

2.R.Saravanapandi

...IInd Respondent/De-facto
Complainant

PRAYER: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying this Court to quash the FIR in Crime No. 1053 of 2015 pending on the file of the respondent No.1/ Police

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

For Respondent-2	: Mr.S.M.A.Jinnah
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O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No. 1053 of 2015, pending on the file of the respondent No.1/ Police.

2.Heard the submissions of Mr.A.Raja mohammed, learned counsel for the Petitioners and Mr.K.Anbarasan, learned Government Advocate(Crl.side)appearing for the first respondent/State and Mr.S.M.A.Jinnah, 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.Pursuant to the complaint filed by the de-facto complainant namely, the second respondent herein, a case was registered against the petitioners under Section 387 and 506(ii) of IPC on 25.09.2015. After the registration of the criminal case, the de-facto complainant appears to have entered into a compromise outside the Court, as the dispute between them was settled amicably through elders in the family of both the



Petitioners and the de-facto complainant. They have also entered into a compromise memo, dated 11.07.2017.

4.Today, the parties appear before this Court and express that they have signed a compromise memo on their own free will and volition. In the compromise memo, dated 11.07.2017, the counsels representing the de-facto complainant as well as the petitioners have signed. 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 respondent/Police.

5.Since the de-facto complainant has stated in the compromise memo that he is not willing to prosecute Criminal Case registered against the Petitioner any further and that he has decided to withdraw the Complaint.

6.In view of the above, 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 11.7.2017, filed by both the parties.

7. Accordingly, this Criminal Original Petition is allowed and the FIR in Crime No. 1053 of 2015, pending on the file of the respondent No.1/ Police is quashed. The Joint compromise memo, dated 11.07.2017 shall form part of this order.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

(*)COMPROMISE MEMO IS ANNEXED TO THIS ORDER

To

1.The Inspector of Police,

D1 Tallakulam P.S., Madurai District.

2.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

+One cc to Mr.S.M.A.Jinnah, Advocate, SR.No.65948

gns/vsn

RL/4C/2P/MR/KKR/SAR3/27/7/2017