

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 24.07.2017****CORAM:****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****CRL.O.P. (MD) No.9517 of 2017**

1.Selvam
2.Mahendran ...Petitioners/Accused No. 1 & 2

-Vs-

State through

1. The Inspector of Police,
Theni Town Police Station,
Theni District.
(Crime No.628/2017) ...Respondent/Complainant

2.P.Mariamy ...Respondent/Defacto complainant

PRAYER: This Petition is filed under Section 482 of the Criminal Procedure Code, to call for records relating to the FIR in Crime No.628 of 2017 on the file of the first respondent and quash the same.

For Petitioners : Mr.M.Subash Babu
For 1st Respondent : Mr.K.Anbarasan
Government Advocate(Crl.Side)

O R D E R

This Criminal Original Petition is filed to call for the records relating to the FIR in Crime No.628 of 2017 on the file of the first respondent and quash the same.

2. Heard Mr.M.Subash Babu, learned counsel appearing for the petitioners and Mr.K.Anbarasan, learned Government Advocate (Crl.Side) appearing for the first respondent and perused the records.

3. The petitioners herein are accused Nos. 1 & 2, in the crime No.628 of 2017 on the file of the respondent Police. The said complaint is registered for the offences punishable under Sections 147, 447, 294(b), 506(i) of IPC.



4. It appears that at the advise of the elders and friends, the petitioners and second respondent have agreed to compromise the matter out of Court. A Joint Compromise Memo, dated 19.07.2017, is also filed. As per the Joint Compromise Memo, the defacto complainant, namely, second respondent has given his consent to quash the proceedings culminating in Crime No.628 of 2017 in favour of the petitioners.

5. The parties appeared before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memo on their own will and volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Government Advocate (Criminal side) through the first respondent police.

6. Having regard to the terms of the joint memo filed by the parties, this Court is of the view that no useful purpose will be served by keeping this matter pending. As per the Compromise Memo signed by the parties, the defacto complainant, namely, the second respondent has agreed to quash the proceedings against the petitioners herein. Hence the criminal proceedings culminating in Crime No.628 of 2017 on the file of the first respondent police, is quashed in *toto* and the Joint Compromise Memo signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Theni Town Police Station,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.Subash Babu, Advocate Sr.No.67439

DAS/TRP

VB/MR/KKR/SAR4/11/08/2017/2P/4C