



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2017

CORAM :

THE HONOURABLE MR. JUSTICE S. S. SUNDAR

CRL OP (MD) No. 9818 of 2017

WEB COPY

1. Sakkaravarthy
2. Thavamani ... Petitioners/Accused Nos.1 & 2

Vs.

1. The Sub Inspector of Police,
Kottampatti Police Station,
Melur Taluk,
Madurai District.
(Crime No.529 of 2016) ... 1st Respondent/Complainant

2. Pandi ... 2nd Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the First Information Report in Crime No.529 of 2016 on the file of the first respondent police and to quash the same as illegal.

For Petitioners : Mr.T.Vadivelan
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).
For R-2 : Mr.Karthick Subramanian

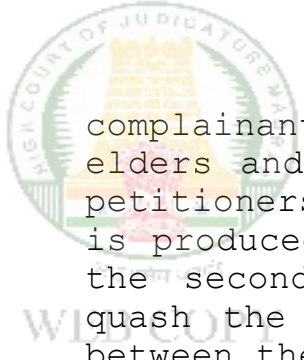
O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.529 of 2016 on the file of the first respondent police.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal side) appearing for the first respondent and the learned counsel appearing for the second respondent.

3. On the basis of the complaint lodged by the second respondent/defacto complainant against the petitioners/accused Nos.1 and 2, a case was registered by the first respondent police in Crime No.529 of 2016, dated 19.12.2016 for the offence under Section 379 of I.P.C.

4. Pursuant to the complaint, it appears that the petitioners who are the accused Nos.1 and 2 and the second respondent/defacto



complainant have entered into a compromise, on the advise of the elders and well wishers. The Joint Compromise Memo signed by the petitioners and the defacto complainant along with their counsel is produced before this Court. As per the Joint Compromise Memo, the second respondent agreed to withdraw the complaint and to quash the above criminal proceedings. The settlement arrived at between the parties is also referred to.

5. The parties appeared today before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memo on their own free 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 specific terms of the Joint Compromise Memo, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending. Hence, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the First Information Report in Crime No.529 of 2016 on the file of the first respondent police, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

Encl: Xerox copy of Joint Compromise Memo

To

1. The Sub Inspector of Police,
Kottampatti Police Station, Melur Taluk,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.VADIVELAN, Advocate, SR No. 70833

PMU

PSM/JC/SAR3/28.08.2017/2P/4C