

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 28.07.2017
CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDAR
Cr1.O.P.(MD) No.9849 of 2017

- 1.Raja @ Manikavasakan
- 2.Vivek Kumar
- 3.George @ Thambidurai
- 4.Murugesan @ Murugan

... Petitioners/
Accused No.1,3,5 & 6

-Vs-

1. State represented by,
The Inspector of Police,
Chokkampatti Police Station,
Tirunelveli District,
(In Crime No.40 of 2012)

... Respondent/Complainant

2. Balasubramanian

... Respondent/Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the First Information Report in Crime No.40 of 2012, dated 23.02.2012, on the file of the 1st Respondent Police and quash the same as illegal and devoid of merits as against the petitioners.

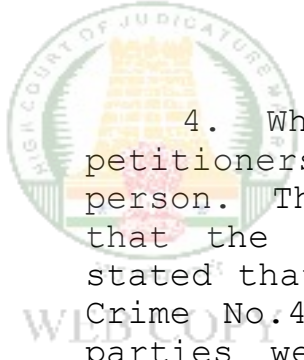
For Petitioners : Mr.M.Jegadeesh Pandian.
For 1st Respondent : Mr.C.Ramesh,
Additional Public Prosecutor.

O R D E R

This Criminal Original petition is filed to call for the records relating to the First Information Report in Crime No.40 of 2012, dated 23.02.2012, on the file of the 1st Respondent Police and quash the same as illegal and devoid of merits against the petitioners.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent and perused the records.

3. Based on the complaint given by the 2nd respondent/defacto complainant, a case was registered against the petitioners in Crime No.40 of 2012, dated 23.02.2012, for the offence punishable under Sections 147, 341, 294(b) and 506(i) of IPC., and Section 3 of TNPPDL Act, on the file of the first respondent.



4. When the matter is taken up for hearing, both the petitioners as well as the second respondent are appeared in person. The second respondent/defacto complainant has admitted that the complaint was given out of frustration. He has also stated that he has no objection to withdraw the criminal case in Crime No.40 of 2012 or to quash the same. The identity of the parties were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Additional Public Prosecutor through the respondent police and they categorically made a statement that the dispute between them have been settled amicably out of Court. They also filed a memo of compromise dated 25.07.2017 duly signed by both parties and counter signed by their respective Counsel. They have also stated that they have signed in the compromise memo on the own will and volition.

5. In view of the statements made by the parties and the joint compromise memo filed by them, no fruitful purpose will be achieved to proceed further in this matter.

6. Having regard to the terms of Joint memo of compromise, this Criminal Original Petition is allowed and the entire proceedings in Crime No.40 of 2012, dated 23.02.2012, on the file of the first respondent is quashed in toto and the Joint Compromise Memo filed by the parties shall form part of the order.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

(Encl. Xerox copy of Compromise memo)

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

+1cc to M/S. M.JAGADEESH PANDIYAN, Advocate, SR.No.68574.

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