



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
CRL OP (MD) No.9981 of 2017

Rajeshwaran

... Petitioner/Accused

Vs.

1. The State,
Rep. by its Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District.
(Crime No.185 of 2016)

... Respondent/Complainant

2. Kandan

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.185 of 2016 on the file of the first respondent police and to quash the same.

For Petitioner : Mr.A.Baskaran
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).
For R-2 : Mr.B.Muneeswaran

O R D E R

This Criminal Original petition is filed for quashing the criminal proceedings in Crime No.185 of 2016 on the file of the first respondent police.

2. Heard the learned counsel appearing for the petitioner 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, a case was registered by the first respondent police in Crime No.185 of 2016 for the offence under Section 304 of I.P.C.

4. It appears that there was a dispute between the petitioner and the second respondent/defacto complainant and they have settled their dispute amicably, on the advise of the relatives and



elders. The parties also have entered into a compromise. The Joint Compromise Memo, dated 27.07.2017, signed by the petitioner and the defacto complainant along with their counsel is produced before this Court.

5. The parties appeared 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. The Joint Compromise Memo indicates that the parties have settled their dispute amicably and the second respondent is not interested in prosecuting the criminal case and he has also agreed that the criminal proceedings can be quashed.

7. 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 criminal proceedings in Crime No.185 of 2016 on the file of the first respondent herein is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

Joint Compromise memo xerox copies are enclosed

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

MAS/KK/SAR2:28.08.2017:2P-3C

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