



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) No.9984 of 2017

1. Moorthy
2. Karthick

... Petitioners / Accused 1 & 2
-Vs-

1. State rep. by
The Inspector of Police,
Kadaynallur Police Station,
Thirunelveli District.
(Crime No.327 of 2015)

... 1st Respondent/ Complainant

2. Mohamed Hassan

... 2nd Respondent/ Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the case in Crime No.327 of 2015 pending on the file of the first respondent Police and quash the same.

For Petitioner	:	Mr.A. Sivasubramanian
For R1	:	Mr.K.Anbarasan, Government Advocate(Crl.side)
For R2	:	Mr.P. Samuel Gunasingh

O R D E R

This Criminal Original petition is filed to call for the records pertaining to the case in Crime No.327 of 2015 pending on the file of the first respondent Police and quash the same.

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

3. On the basis of the complaint given by the second respondent, a case was registered against the petitioners 1 and 2 in Crime No.327 of 2015 on the file of the first respondent police for the offences punishable under Sections 294(b) and 506 (i) of IPC. It is stated that the parties have settled their dispute amicably out of Court and that therefore, the de facto complainant has agreed to withdraw the complaint as against the



petitioners herein.

4. The parties have filed the joint compromise memo signed by the petitioners as well as the de facto complainant in the presence of their respective counsels. As per the joint compromise memo, the parties have agreed to quash the criminal proceedings.

5. The parties appeared before this Court and expressed in unequivocal terms that they have settled the dispute and 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 compromise memo, 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 complaint in Crime No.327 of 2015 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

Encl: Xerox Copy of Compromise Memo

To
The Inspector of Police,
Kadayanallur Police Station,
Thenkasi, Tirunelveli.

TRP
PSM/KP/SAR1/24.08.2017/2P/2C

Cr1.O.P.(MD) No.9984 of 2017
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