



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2017

CORAM:

THE HON'BLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.16277 of 2017

and

CRL.MP(MD)Nos.10704 & 10781 of 2017

1.Manimegalai
2.Sindhu @ Chinthamani
3.Jabar Sadhik

... Petitioners/Accused No. 1,3 & 4

-vs-

1.State Represented by
The Inspector of Police
District Crime Branch Police Station
Pudukottai.
Pudukottai District.
(In Crime No.14 of 2016)

2.Balakrishanan ... Respondents/Defacto Complainant

Prayer: Criminal Original petitions are filed under Section 482 of Criminal Procedure Code, to call for the records in the First Information Report in Crime No.14 of 2016 pending on the file of 1st respondent police and quash the same.

For Petitioners	: Mr.P.Ganapathi Subramanian
For Respondent	: Mr.K.S.Durai Pandian
No.1	Additional Public Prosecutor
For Respondent	: Mr.K.G.Arun Kumar
No.2	

ORDER

This Criminal Original Petition has been filed to call for the records in the First Information Report in Crime No.14 of 2016 pending on the file of first respondent police and quash the same.

2.The petitioners are the accused No.1,3 & 4 in Crime No.14 of 2016 on the file of the first respondent police. The complaint was lodged by the second respondent and a case was registered by the first respondent as against the petitioner for the alleged offence under Sections 120 B, 406, 294(b), 506(i) of IPC and r/w 4 of the Chit Funds Act, 1982. After the registration of the complaint, the petitioners and the second respondent have entered into an amicable settlement.



3. It is stated that the parties have also entered into a joint compromise memo for their mutual benefits. The joint compromise memo signed by the petitioners and the second respondent in the presence of their respective counsels is produced before this Court. In the Joint compromise memo, the second respondent has also agreed for quashing the First Information Report in Crime No.14 of 2016 on the file of the first respondent.

4. 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 identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent police.

5. Having regard to the agreement made between 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 even against the first accused. Hence, the criminal proceedings culminating in Crime No.14 of 2016 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.

6. Accordingly, the Criminal Original petition is allowed. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police

District Crime Branch Police Station

Pudukottai, Pudukottai District.

2. The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.P.Ganapathi Subramanian, Advocate SR.No. 89341

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