



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2018

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No. 1097 of 2018

1.K.S.Kanthappa
2.Rajasekar
3.Kannan

... Petitioners/Accused Nos.1 to 3

-Vs-

1.State Represented by
The Inspector of Police,
Anna Nagar Police Station,
Madurai City.

... 1st Respondent/Complainant

2.R.Jaiganesh

... 2nd Respondent/Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Crime No.2170 of 2017, on the file of the 1st respondent against the petitioners above named and quash the same as it has no prima facie case against the petitioners herein and quash the same.

For Petitioners	: Mr.S.Veluchamy
For R1	: Mr.Prabu Ramachandran Government Advocate (Crl.side)
For R2	: Mr.T.Amjadkhan & Mr.K.Muruganantham

ORDER

The Criminal Original Petition has been filed to call for the records in Crime No.2170 of 2017, on the file of the 1st respondent against the petitioners above named and quash the same as it has no prima facie case against the petitioners herein and quash the same.

<https://hcservices.courts.gov.in/hcservices/> 2. Heard the learned counsel appearing for the petitioners,
learned Government Advocate (Crl.side) appearing for the first



respondent and the learned counsel appearing for the second respondent.

3. The petitioners are accused No.1 to 3 in Crime No.2170 of 2017. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 294 (b), 323, 355 and 506(i) IPC.

4. It appears that the petitioners and the second respondent, namely, the de-facto complainant have settled their dispute amicably out of Court and they have also entered into a compromise, on the advise of elders and their relatives. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent, has no objection for quashing the FIR in Cr.No. 2170 of 2017 on the file of the first respondent.

5. The parties appeared before this Court and expressed in unequivocal terms that they have signed 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 (Crl.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 purpose will be served by keeping this matter pending. Hence the FIR in Cr.No.2170 of 2017 on the file of the first respondent / The Inspector of Police, Anna Nagar Police Station, Madurai City, Madurai, is quashed in *toto*. 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 (RTI)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo



To

1. The Inspector of Police,
Anna Nagar Police Station,
Madurai City.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.S.VELUCHAMY, ADVOCATE IN SR No. 44431

SSS

TE/SV-MMS/SAR-1 : 05/02/2018 : 3P/4C

Cr1.O.P.(MD) No. 1097 of 2018
24.01.2018