



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2018

CORAM

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM

Crl.O.P. (MD) No. 1465 of 2018

WEB COPY

1.K.Ramalingam

2.Kali

3.Pandi

...Petitioners/Accused Nos.1 to 3

-Vs-

1.State Represented by

The Inspector of Police,
Mudukulathoor Police Station,
Ramanathapuram District.

(in Crime No.119 of 2011)

... Respondent/Complainant

2.Veerasamy

... Respondent/Defacto Complainant

3.Krishnan

... Respondent/Injured

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the proceedings in S.C.No.59 of 2012, on the file of the Assistant Sessions Judge, Mudhukulathur and quash the same as against the petitioners/accused No.1 to 3.

For Petitioners : Mr.R.Venkateswaran

For R1 : Mr.Prabu Ramachandran

Government Advocate (Crl.side)

For R2 & R3

: Mr.S.Sabbani Karpura Jothi

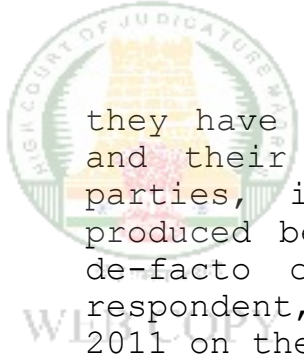
ORDER

The Criminal Original Petition has been filed to call for the records relating to the proceedings in S.C.No.59 of 2012, on the file of the Assistant Sessions Judge, Mudhukulathur and quash the same as against the petitioners/accused No.1 to 3.

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 and third respondent.

3.The petitioners are accused No. 1 to 3 in Crime No.119 of 2011. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 324, 307 I.P.C.,

4.As per the statement of the Doctor, the injured person sustained only simple injury and it appears that the petitioners and the second and third respondent, namely, the de-facto complainant and injured 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 and injured, namely, the second and third respondent, has no objection for quashing the FIR in Cr.No. 119 of 2011 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 (CrI.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.119 of 2011 on the file of the first respondent / The Inspector of Police, Mudukulathoor Police Station, Ramanathapuram District, 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(CS-III)

/True Copy/

Sub Assistant Registrar

To

Enclosure : The Joint Compromise Memo (Xerox Copy)

- 1.The Assistant Sessions Court, Mudhukulathur.
- 2.The Inspector of Police,
Mudukulathoor Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.R.Venkateswaran, Advocate SR.No. 45569

CrI.O.P.(MD) No. 1465 of 2018
31.01.2018

SSS

<https://hcservices.ecourts.gov.in/hcservices/>
JM/SKN RSK/SAR 1/19.02.2018/2P/5C