



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No. 1555 of 2018

- 1.Rajkumar
- 2.Sivan
- 3.Duraimurugan @ Durai
- 4.Senthilkumar @ Senthil
- 5.Parthiban
- 6.Paulraj
- 7.Vasanth

... Petitioners / A1 to A7

-Vs-

1. The State rep. by
The Inspector of Police,
Sayarpuram Police Station,
Sayarpuram, Thoothukudi District.
(Cr.No.185 of 2017)

.. 1st Respondent/Complainant

- 2.Chandrapaul

..2nd Respondent/De facto complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to FIR in Crime No.185 of 2017 on the file of the first respondent herein and quash the same.

For Petitioner	: Mr.S.M. Mohan Gandhi
For R1	: Mr.Prabu Ramachandran Government Advocate (Crl.side)
For R2	: Mr.V. Perumal

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to FIR in Crime No.185 of 2017 on the file of the first respondent herein and quash the same.

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 the accused nos. 1 to 7 in Crime No.185 of 2017. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 147, 294(b) and 323 of IPC @ 147, 294(b), 323, 342 and 506



(ii) of IPC on the file of the first respondent Police.

4. It appears that the petitioner 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 Crime. No. 185 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 (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 Crime. No.185 of 2017 on the file of the first respondent / the Inspector of Police, Sayarpuram Police Station, Sayarpuram, Thoothukudi 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 (RTI)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

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

+ 1 CC TO Mr.S.M.MOHAN GANDHI, ADVOCATE IN SR No. 45834

TRP

TE/SKN-RSK/SAR-1 : 23/02/2018 : 2P/4C

<https://hcservices.ecourts.gov.in/hcservices/>

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