



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2018

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THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**

Crl.O.P.(MD) No.1912 of 2018

Mariappan

..Petitioner/Sole Accused

-Vs-

1.State Represented by

The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
(Cr.No.645 of 2017)

... Respondent/Complainant

2.Pathirakali

... Respondent/ Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the F.I.R., in Crime No.645 of 2017 on the file of the first respondent and quash the same as illegal.

For Petitioner : Mr.Prabu

For 1st Respondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)

For 2nd Respondent : Mr.R.Balakrishnan**ORDER**

This Criminal Original Petition has been filed to call for the records relating to the F.I.R., in Crime No.645 of 2017 on the file of the first respondent and quash the same.

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

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

3.The petitioner is the sole accused in Crime No.645 of 2017



on the file of the first respondent police. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 294 (b), 307 and 506(ii) of I.P.C., and Section 4 of TN Prohibition of Harassment Act of Women and the same is pending.

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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 F.I.R., in Crime No.645 of 2017 on the file of the first respondent police against the sole accused.

5.The parties have 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 F.I.R., in Crime No.645 of 2017 on the file of the first respondent police, is quashed in respect of the petitioner. 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)

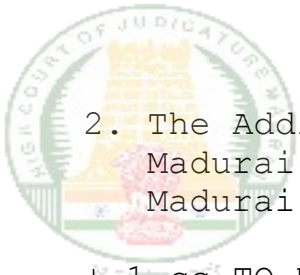
/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Compromise Memo

To

1. The Inspector of Police,
Kovilpatti West Police Station,
Kovilpatti District.



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

+1 cc TO Mr.M.Prabu , Advocate in SR No. 47324

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AE/KKR/SAR3/13.03.2018/3P/4C

Cr1.O.P.(MD) No. 1912 of 2018
08.02.2018