



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.2293 of 2018

- 1.Parimanam
- 2.Peter
- 3.Edwin
- 4.Robert

... Petitioners/ Accused
Nos. 1 to 4

-Vs-

1. The State through
The Sub Inspector of Police,
Manachanallur Police Station,
Trichy District.
(Cr.No.240 of 2013)

... Respondent/Complainant

2. Albert Velankanni

... Respondent/Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records in Cr.No.240 of 2013 pending on the file 1st respondent and quash the same as illegal.

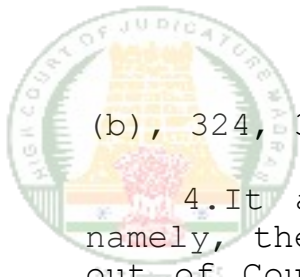
For Petitioners : Mr.Ganapathi Subramanian
For 1stRespondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)
For 2nd Respondent : Mrs.K.Amutha Devi

ORDER

This Criminal Original Petition has been filed to call for the entire records in Cr.No.240 of 2013 pending on the file 1st respondent and quash the same as illegal.

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 Nos. 1 to 4 in Crime No.240 of 2013. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 294



(b), 324, 326 and 506(i) of 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 proceedings in Crime No.240 of 2013 on the file 1st respondent against the accused Nos.1 to 4.

5.The parties are 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 proceedings in Crime No.240 of 2013 on the file 1st respondent, against the accused Nos.1 to 4, 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 Sub Inspector of Police,
Manachanallur Police Station,
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.P.GANAPATHI SUBRAMANIAN, ADVOCATE IN SR No. 51566

DSS

TE/KK/SAR-4 : 22/03/2018 : 2P/4C

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

Crl.O.P. (MD) No. 2293 of 2018
26.02.2018