



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2018

CORAM

WEB COPY

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

Crl.O.P.(MD) No.2383 of 2018

Joseph Raj

...Petitioner/Accused

-Vs-

1. The State represented by
The Inspector of Police,
South Police Station,
Thoothukudi
Thoothukudi District.

(In Crime No.1053 of 2011)

...1st Respondent/Complainant

2.Amalorpavam

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the case in Cr.No.1053 of 2011 on the file of the 1st respondent herein and quash the same.

For Petitioner : Mr.N.Pragalathan

For R-1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate

For R-2 : Mr.K.Muthurakkan

ORDER

This Criminal Original petition has been filed to quash the F.I.R in Cr.No.1053 of 2011 on the file of the 1st respondent herein as against the petitioner.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate 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.1053 of



2011 and the second respondent is the defacto complainant in the above said crime number.

4.The complaint in Crime No.1053 of 2011 was registered for the offences punishable under Sections 341, 294(b), 324, 506(ii) I.P.C and Section 4 of Tamil Nadu Prohibition of Women Harassment Act on the file of the first respondent police. The petitioner is arrayed as sole accused in the above said crime number. The first respondent is investigating the matter.

5.It appears that at the advise of the elders and friends, the petitioners and the second respondent have agreed to compromise the matter, out of Court. A Joint compromise memo, dated 13.02.2018, is also to that effect. As per the joint compromise memo, the de-facto complainant, namely, the second respondent, has given her consent to quash the entire proceedings in Cr.No.1053 of 2011 on the file of the 1st respondent herein.

6.The parties appeared before this Court and expressed in unequivocal terms that they have signed in the joint compromise memo on their own will and volition. The identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Government Advocate (Crl. side) through the first respondent police.

7.Having regard to the agreement made between the parties, this Court is of the view that no useful purpose will be served by keeping this matter pending. As per the joint compromise memo signed by the parties, the de-facto complainant, namely, the second respondent agreed to quash the proceedings in Cr.No.1053 of 2011. Hence the criminal proceedings in Cr.No.1053 of 2011 on the file of the first respondent police are quashed in respect of this petitioner and the joint compromise memo signed by the parties shall form part of the order.

8. Accordingly, this Criminal Original petition is allowed.

Sd/-

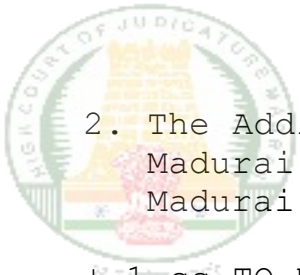
Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Compromise Memo
To

1.The Inspector of Police,
Thoothukudi, Thoothukudi District.



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

+1 cc TO Mr.N.Pragalathan , Advocate in SR No. 49191

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VS

AE/JC/SAR3/13.04.2018/3P/4C

Cr1.O.P. (MD) No.2383 of 2018
15.02.2018