



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.2681 of 2018

Vinothkumar

... Petitioners/ Sole Accused

-Vs-

1. The Inspector of Police,
Government Rajaji Hospital Police Station,
Madurai City,
in Crime No.124 of 2017.

... 1st Respondent/Complainant

2. Nagasundaram

... 2nd Respondent/ Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records in Crime No.124 of 2017 offence under sections 294(b), 323, 506(i) of I.P.C and section 4(1)(j) Tamil Nadu Prohibition Act on the file of the 1st respondent police dated 12.12.2017 and quash the same.

For Petitioner : Mr.S.Pakalavan

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

For 2nd Respondent : Mr.Ezhilarasu

ORDER

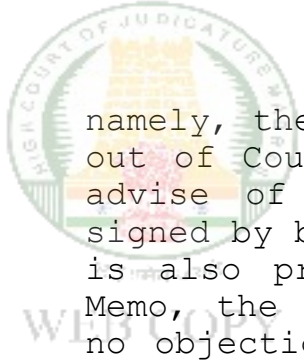
This Criminal Original Petition has been filed to call for records in Crime No. Crime No.124 of 2017 under sections 294(b), 323, 506(i) of I.P.C and section 4(1)(j) Tamil Nadu Prohibition Act on the file of the 1st respondent police dated 12.12.2017 and quash the same.

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.

3.The petitioner is a sole accused in Crime No.124 of 2017. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 294(b), 323, 506(i) of I.P.C and section 4(1)(j) Tamil Nadu Prohibition Act.

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

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 proceedings in Crime No.124 of 2017 on the file of the 1st respondent against the sole accused alone.

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.124 of 2017 on the file of the 1st respondent, against the sole accused, 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,
Government Rajaji Hospital Police Station,
Madurai City,
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.S.PAKALAVAN, ADVOCATE IN SR No. 51807

DSS

TE/SKN-RSK/SAR-2 : 14/03/2018 : 2P/4C