



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.3145 of 2018

1.Thilipkumar
2.Sivakumar

... Petitioners/Accused No.1 & 2

-Vs-

1. State rep. by the Inspector of Police,
E.Pudur Police Station,
Trichy City, Trichy.
Cr.No.257/17

... 1st Respondent/Complainant

2. Sheik Amthan

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records relating to the F.I.R in Cr.No.257 of 2017 on the file of the 1st respondent herein and quash the same.

For Petitioners	: Ms.R.Yamuna
For R-1	: Mr.A.P.G.Ohm Chairma Prabhu Govt. Advocate (Crl.Side)
For R-2	: Ms.R.Cinnaponnu

ORDER

This Criminal Original petition has been filed to quash the F.I.R in Cr.No.257 of 2017 on the file of the 1st respondent herein and quash the same.

2.Heard the learned counsel appearing for the petitioners and the 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 & 2 in Crime No. 257 of 2017 on the file of the first respondent Police. The second respondent is the defacto complainant in the above said crime number.

4.The complaint in Crime No.257 of 2017 was registered for the offences punishable under Sections 294(b), 324 and 506(ii) I.P.C on the file of the first respondent police. The petitioners are



arrayed as accused in the above said crime number. The first respondent is investigating the matter.

5. In the mean while, it appears that at the advise of the elders and friends, the petitioners and second respondent have agreed to compromise the matter, out of Court. A joint Compromise Memo, dated 26.02.2018, is also filed to that effect. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has given his consent to quash the entire proceedings in Cr.No.257 of 2017 on the file of the first respondent.

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 Compromise Memo signed by the parties, the de-facto complainant, namely, the second respondent has agreed to quash the proceedings in Cr.No.257 of 2017. Hence the criminal proceedings in Cr.No.257 of 2017 on the file of the first respondent police are quashed in respect of these petitioners 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

To

1. The Inspector of Police,
E.Pudur Police Station,
Trichy City, Trichy.

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

+ 1 CC TO M/s.R.YAMUNA, ADVOCATE IN SR No. 55525

VS

TE/SV-MMS/SAR-4 : 10/04/2018 : 2P/4C

Crl.O.P. (MD) No.3145 of 2018
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