



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.(MD) No.3234 of 2018

- 1.P.Selvam
- 2.Vivek
- 3.Sakthi @ Sakthivel
- 4.Ramachandran
- 5.R.Arunmozhi
- 6.Shanmugasundaram
- 7.Parthiban
- 8.Karthikeyan
- 9.Radhakrishnan
- 10.Babu
- 11.Palani @ V.S.Palanivel

..Petitioners/ Accused Rank Not Known

-Vs-

- 1.The State represented by
The Inspector of Police,
Keelavalavu Police Station,
Madurai District.

(Cr.No.605 of 2017)

- 2.C.Manithaneyam

... Respondent/ Complainant

... Respondent / Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Cr.No.605 of 2017, on the file of the Inspector of Police, Keelavalavu Police Station, Madurai District and quash the same.

For Petitioners :Mr.K.Prabhu

For Respondents :Mr.A.P.G.Ohm Chairma Prabhu

Government Advocate (Cr1.side) for R1

Mr.J.Senthil Kumar For R2

ORDER

The Criminal Original Petition has been filed to call for the records in Cr.No.605 of 2017, on the file of the Inspector of



Police, Keelavalavu Police Station, Madurai District and quash the same.

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 arrayed accused in Crime No.605 of 2017. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 147, 148, 341, 364, 379, 506(ii) IPC r/w 3 (2) (Va) SC/ST (POA) Act 2015 altered into under Sections 120 (b) 147, 148, 341, 364, 379, 506(ii) IPC r/w 3 (2) (Va) SC/ST (POA) Act 2015.

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 FIR in Cr.No. 605 of 2017 on the file of the first respondent.

5. The petitioners are appeared before this Court. The defacto complainant and the victim girl viz., S.Sweetha are appeared before this Court and expressed their 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 the FIR in Cr.No. 605 of 2017 on the file of the first respondent/ Inspector of Police, Keelavalavu Police Station, Madurai against the petitioners herein, 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(CS-II)

/True Copy/

Sub Assistant Registrar



To

1.The Inspector of Police,
Keelavalavu Police Station,
Madurai District.

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

+1CC to Mr.K.Prabhu, Advocate, SR.No. 53396

Cr1.O.P.(MD) No.3234 of 2018

rmk

AM/JC/SAR 2/20.03.2018/3P/4C