



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**Cr1.O.P.(MD) No.3235 of 2018

- 1.Utchimahali
 - 2.Koddiappan
 - 3.Suresh
 - 4.Chellappa
 - 5.Selvam @ Chellappa, S/o.Vellaia Thevar
 - 6.Muthburamalingam
 - 7.Murugan
 - 8.Selvam, S/o.Subbaiah Thevar
 - 9.Sankarapandi
- Petitioner/Accused Nos.1 to 9

-Vs-

1. The State represented by its,
The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District,
(In Crime No.65 of 2018)...1st Respondent/Complainant

- 2.Chellaiah ... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the First Information Report in Cr.No.65/2018 on the file of the first respondent police and quash the same.

For Petitioners	:Mr.M.S.Jeyakarthick
For R-1	:Mr.A.P.G.Ohm Chairma Prabhu Government Advocate
For R-2	:Mr.S.Madasamy

ORDER

This Criminal Original petition has been filed to quash the First Information Report in Cr.No.65/2018 on the file of the first respondent police and quash the same as against the petitioners.

<https://hcservices.courts.gov.in/hcservices/> 2. Read the learned counsel appearing for the petitioners and the learned Government Advocate (Cr1.Side) appearing for the first



respondent and the learned counsel appearing for the second respondent.

3.The petitioners are accused in Crime No.65 of 2018 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. 65 of 2018 was registered for the offences punishable under Sections 147, 341, 294(b), 323 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 27.02.2018, 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.65 of 2018 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 (Cr1.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.65 of 2018. Hence the criminal proceedings in Cr.No.65 of 2018 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. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(RTI)

/True copy/



Encl: Joint Compromise Memo Xerox Copy herewith attached
To

1.The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.

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

+1 cc to MR.M.S.JEYAKARTHICK, Advocate SR.No.53877

Crl.O.P.(MD) No.3235 of 2018
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SMA/CM-VR/SAR-2/27.03.2018:3P/4C