



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2018

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

Crl.O.P.(MD) No.3588 of 2018

- 1.Karuppusamy
- 2.Mani
- 3.Sivasami
- 4.Arulsami

... Petitioners/Accused Nos.1 to 4
-Vs-

1. State represented by,
The Inspector of Police, (L&O)
Manamadurai Police Station,
Sivagangai District.
(Crime No.27 of 2018) ...1st Respondent/Complainant

- 2.Duraisami ... 2nd Respondent / De-facto complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Crime No.27 of 2018 on the file of the respondent police and quash the same.

For Petitioners :Mr.K.N.Govardhanan

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

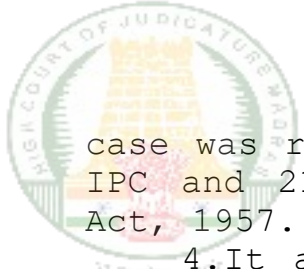
For R-2 :Mr.P.Muthupandian

ORDER

The Criminal Original Petition has been filed to call for the records in Crime No.27 of 2018 on the file of the respondent police 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 accused Nos. 1 to 4 in Crime No.27 of 2018. Based on the complaint lodged by the second respondent, a



case was registered for the offences punishable under Section 379 IPC and 21(4) of Mines and Minerals (Development & Regulation) Act, 1957.

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 Crime No. 27 of 2018 on the file of the first respondent.

5.The parties 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 FIR in Crime No.27 of 2018 on the file of the first respondent /The Inspector of Police, Manamadurai Police Station, Sivagangai District, 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(crl side)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Joint Compromise Memo

To

1. The Inspector of Police, (L&O)
Manamadurai Police Station, Sivagangai District.

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

LS

VB/SKN/RSK/SAR1/04.04.2018/2P/3C

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