



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAMCrl.O.P.(MD) No.3657 of 2018

1. Balasubramaniyan
2. Mariyappan
3. Saraswathi
4. Santhanamari

...Petitioners/Accused No. 1 to 4

-Vs-

The State represented by
1. The Inspector of Police,
Seidunganallur,
Thoothukudi District.
(Crime No.175 of 2017)

...1st Respondent/Complainant

2. Rajkumar

... 2nd Respondent/ Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records relating to the entire proceedings of the FIR in Crime No.175 of 2017 on the file of the 1st respondent police and quash the same.

For Petitioners	: Mr.S.Jeyapaul
For R-1	: Mr.A.P.G.Ohm Chairma Prabhu Government Advocate (Crl.Side)
For R-2	: Mr.M.S.Jeyakarthik

ORDER

This Criminal Original Petition has been filed to call for the records relating to the FIR in Crime No.175 of 2017 dated 28.08.2017 on the file of the first 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 in Crime No.175 of 2017. Based on the complaint lodged by the second respondent, against the petitioners, a case was registered in Crime No.175 of 2017 on the file of the first respondent police, for the offence punishable under Sections 294(b), 323 and 506(ii) of IPC.



4.It appears that on the advice of friends and elders, the parties have entered into compromise and a Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed to quash the First Information Report in Crime No.175 of 2017.

5.The parties have 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 First Information Report in Crime No.175 of 2017, on the file of the first respondent police, 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

(*)JOINT COMPROMISE MEMO XEROX COPY IS ENCLOSED HEREWITH

To

1.The Inspector of Police,
Seidunganallur,
Thoothukudi District.

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

+One cc to M/s.M.S.Jeyakarthick, Advocate, SR.No.55218

das

RL/4C/2P/KKR/SAR1/28/3/2018

Crl.O.P.(MD) No.3657 of 2018