



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.4311 of 2018

Balamurugan

...Petitioner/Sole Accused

-Vs-

1.State Rep by,

The Sub-Inspector of Police,
Austinpatti Police Station,
Madurai District.

(Crime No.258 of 2017) ... Respondent/ Complainant

2.Arun Kumar

... Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records in Crime No.258 of 2017 pending on the file of the Sub-Inspector of Police, Austinpatti Police Station, Madurai District and quash the same.

For Petitioner : Mr.P.Maharaja

For 1stRespondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)

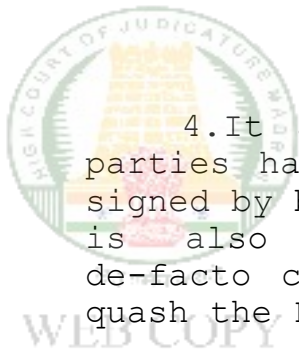
For 2nd Respondent : Mr.M.Pitchai Muthu

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the case in Crime No.258 of 2017 on the file of the first respondent police and quash the same.

2.Heard the learned counsel appearing for the petitioner, learned Government Advocate (Crl.side) appearing for the first respondent and the learned counsel appearing for the second respondent.

3.The petitioner is the sole accused in Crime No.258 of 2017. Based on the complaint lodged by the second respondent, against the petitioner, the case was registered in Crime No.258 of 2017 on the file of the first respondent police, for the offence punishable under sections 294(b) and 324 of I.P.C



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.258 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 (Cr1.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.258 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 (W)

/True Copy/

Sub Assistant Registrar

ENCL:Xerox Copy of Joint Compromise Memo.

To

1.The Sub-Inspector of Police,
Austinpatti Police Station,
Madurai District.

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

+1 cc to Mr.PITCHAIMUTHU, Advocate, SR 56576

Cr1.O.P.(MD) No.4311 of 2018
20.03.2018

RMI

KK/SV MMS/SAR-3/16.04.2018/2P-4C