



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.01.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No. 588 of 2018

Nagendran

... Petitioner / Sole Accused

-Vs-

1.State represented by

The Inspector of Police,
Samayanallur Police Station,
Madurai District.(in Crime No.281 of 2016) ... 1st Respondent/ Complainant

2.Nagarajan

... 2nd Respondent/ De-facto complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records of the case in Crime No.281 of 2016, pending on the file of Samayanallur Police Station, Madurai District and quash the same.

For Petitioner	:Mr.R.Suresh Kumar
For R-1	:Mr.A.P.G.Ohm Chairma Prabhu Government Advocate(Crl. side).
For R-2	:Mr.M.Venkatesan

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.281 of 2016, pending on the file of Samayanallur Police Station, Madurai District.

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

3.The petitioner is a sole Accused in Cr.No.281 of 2016. Based on the complaint lodged by the second respondent, against the petitioner, the case was registered in Crime No.281 of 2016, on the file of the first respondent police, for the offences punishable under Sections 294(b), 506(ii) IPC and Section 3 of TN Prohibition of charging exorbitant Interest Act,2003.

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 Cr.No.281 of 2016.

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(Criminal 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 or fruitful purpose will be served by keeping this matter pending. Hence the First Information Report in Crime No.281 of 2016, on the file of the respondent police, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

8.Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

Herewith enclosed the xerox copy of Joint Compromise Memo
To

- 1.The Inspector of Police,
Samayanallur Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.M.Venkatesan, Advocate, SR.No. 42978
+1CC to Mr.R.Suresh Kumar, Advocate, SR.No. 42702

Cr1.O.P.(MD) No. 588 of 2018

gsp/sss
AM/KKR/SAR 2/06.02.2018/2P/5C