



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2018

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THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.833 of 2018

1.M.Ramu
2.R.Parameswari
3.Sangaralingam
4.K.Podharaj
5.L.Mani

... Petitioners/Accused No.A2 to A6

-Vs-

1.State Represented by
Inspector of Police,
District Crime Branch,
Madurai District.

(in Crime No.19 of 2017)

... 1st Respondent/Complainant

2.Jeyasuganya
represented by registered power of attorney
Namely Rajasekaran/father-in-law
of the de-facto complainant
(cause title amended as per order
of this Court made in Crl.M.P(MD)
No.1144 of 2018 in Crl.O.P.(MD)
No.833 of 2018, dated 19.02.2018.)

...2nd Respondent/Defacto
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.19 of 2017 on the file of the first respondent police and quash the same.

For Petitioners : Mr.S.Sundarapandian

For R1 : Mr.A.P.G.Oham Chairma Prabhu
Government Advocate (Crl.side)

For R2 : Mr.A.Saravanan

ORDER

The Criminal Original Petition has been filed to call for the records of the case in Crime No.19 of 2017 on the file of the first respondent police and quash the same.



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

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3. The petitioners are accused Nos. 2 to 6 in Crime No.19 of 2017. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 120(b), 406, 420, 468, 471 IPC .

4. The power of attorney for the second respondent filed the affidavit stating that the matter has been settled and the petitioners have paid compensation and the said fact has been informed to his son and daughter-in-law and the amount also credited in the account of his son.

5. 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 Cr.No. 19 of 2017 on the file of the first respondent.

6. 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 (CrI.side) through the first respondent police.

7. 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 Cr.No.19 of 2012 on the file of the first respondent / The Inspector of Police, District Crime Branch, Madurai District, 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 (C.O)

/True Copy/



(*) COMPROMISE MEMO XEROX COPY IS ENCLOSED HERewith

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To

1.The Inspector of Police,
District Crime Branch,
Madurai District.

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

+One cc to M/s.S.SUndara Pandian, Advocate, SR.No.49730

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RL/4C/3P/SKN/RSK/SAR4/16/3/2018

Cr1.O.P.(MD) No. 833 of 2018

19.02.2018