



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No. 17783 of 2017

1.Kaberial

2.Paul Thinagarajan

... Petitioners No.1,2 / Accused No.1,2

-Vs-

1.The Sub Inspector of Police,
Puliangudi Police Station,
Tirunelveli District.

(Crime No.283 of 2017)

... 1st Respondent / Complainant

2.Chellaiah

... 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.283 of 2017, dated 22.06.2017 on the file of the first respondent Police and quash the same.

For Petitioners : Mr.V.Muthuvelan

For R-1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate(Crl. Side).

For R-2 : Mr.P.Muthusamy

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.283 of 2017, pending on the file of Puliangudi Police Station, Tirunelveli 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 petitioners are Accused Nos.1 and 2 in Cr.No.283 of 2017. Based on the complaint lodged by the second respondent, against the petitioners, the case was registered in Crime No.283 of 2017, on the file of the first respondent police, for the offences punishable under Sections 294(b), 323 and 506(ii) 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 Cr.No.283 of 2017.

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.283 of 2017, on the file of the respondent police, is quashed in respect of these petitioners. 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(T&P)

/True Copy/

Sub Assistant Registrar

To

Enclosure: Joint Compromise Memo (Xerox Copy)

1.The Sub Inspector of Police,
Puliangudi Police Station,
Tirunelveli District.

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

Cr1.O.P.(MD) No. 17783 of 2017

vs

JM/KKR/SAR 1/05.04.2018/2P/3C