



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.17922 of 2017

- 1.Chinnanan
- 2.Palanikumar
- 3.Irulayee
- 4.Arumugam

...Petitioners/Accused Nos.1 to 4

-Vs-

- 1.State Represented by
The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
(In Crime No.107 of 2017) ... 1st Respondent/Complainant

- 2.James ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the FIR in Crime No.107 of 2017 on the file of the first respondent police and quash the same.

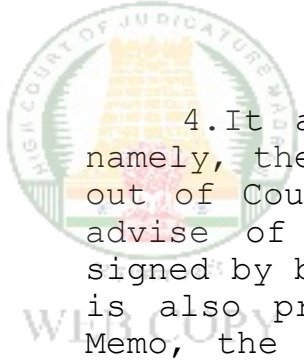
For Petitioners :Mr.S.Mahendrapathy
For 1st Respondent :Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)
For 2nd Respondent :Mr.R.Manikandan

ORDER

The Criminal Original Petition has been filed to call for the records relating to the FIR in Crime No.107 of 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 No. 1 to 4 in Crime No.107 of 2017. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 294(b), 323, 427 and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition



4.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. 107 of 2017 on the file of the first respondent.

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 (CrI.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 FIR in Cr.No.107 of 2017 on the file of the first respondent / The Inspector of Police, Thiruppachethi Police Station, Sivagangai District, 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(CS-II)

/True Copy/

Sub Assistant Registrar

Herewith enclosed the xerox copy of compromise Memo

To

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

CrI.O.P. (MD) No.17922 of 2017

vsg/cp

AM/KK/SAR 4/14.02.2018/2P/3C