



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.13314 of 2020

1)A.Palpandi

2)Samuthiram @ Samuthirakani

3)Prem @ Premkumar

... Petitioners/Accused Nos 1 to 3

vs.

1)The Inspector of Police,
Vachakarapatti Police Station,
Madurai District.

(Crime No.93 of 2014)

...1st Respondent/Complainant

2)Karuthapandi

...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records pertaining to Crime No.93 of 2014 on the file of the 1st respondent police and quash the same as against these petitioners.

For Petitioners : Mr.C.Senthil Murugan

For R1 : Mr.V.Neelakandan
Additional Public Prosecutor

For R2 : Mr.R.Shenbagaraj

O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to Crime No.93 of 2014 on the file of the 1st respondent police and quash the same as against this petitioner is concerned.

2.The second respondent / defacto complainant as well as the petitioners/accused are present before this Court and they are identified by the respective learned counsel and both the parties have filed a joint compromise memo stating that the matter in issue between them has been amicably resolved and therefore, the second respondent / defacto complainant is not willing to prosecute the case and therefore would pray for quashing the FIR in Crime No.93 of 2014.

3.The joint compromise memo reads as follows:-

'1.The petitioners submits that a case in Crime No. 93 of 2014 came to be registered against them for the alleged offences punishable U/s. 294(b), 323, 427, 506 (ii) of IPC on 23.05.2014 by virtue of the complaint lodged by the 2nd respondent.



2.The petitioners submit that the case of the prosecution is that the 2nd respondent is the Driver of private Minibus and on 22.05.2014 while he was duty these petitioners said to have quarrelled with the conductor and abused him with filthy language. It is further alleged that these petitioners said to have threatened the 2nd respondent with dire consequences and hence this case came to be registered.

3.The petitioners submit that they are innocent and have been falsely implicated in the present crime without nexus. Since the petitioners and the 2nd respondent are neighbours and they are prepared to amicably settle their issues out of the court in view of the advice made by the family elders.

4.The petitioners submit that accordingly the petitioners and 2nd respondent have amicably settled their disputes and no purpose is going serve by kept it pending. In order bury the hatchment they have filing this Quash petition with their fullest knowledge and own volition.

5.The petitioners submit that the difference of opinion arose between the petitioners and the 2nd respondent was now resolved by the family elders and well wishers. If this F.I.R. is not quashed then they will put to undue hardship and irreparable loss.

6.The petitioners submit that in order to curtail other disputes and continue their friendship these petitioners and the 2nd respondent is entering into this compromise by applying their mind without any coercion or undue influence or by way of any other sources. Moreover the 2nd respondent is only injured person as well as the victim.

7.The petitioners submit that this is the one and only case pending against them. Moreover the 1st petitioner and the 2nd respondent were hails from reputed family hence the pendency case would definitely cause calamity in their future life.

Under these circumstances, it is prayed that this Hon'ble Court may be pleased to record the compromise entered between the petitioners and the 2nd respondent is concerned in connection with Crime No. 93 of 2014, on the file of the 1st respondent police and pass such other or further orders as this Hon'ble Court may deem fit and proper in the interest of justice and thereby render justice.'

4.The compromise memo is filed before this Court and the parties along with their respective counsel are also present personally through video conference and the learned Additional Public Prosecutor would state that he has verified their identity.



5.In the result, by recording the compromise, the Criminal Original Petition is allowed and the impugned FIR in Crime No.93 of 2014 on the file of the 1st respondent police, is quashed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

- 1)The Inspector of Police,
Vachakarapatti Police Station,
Madurai District.
(Crime No.93 of 2014)
- 2)The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
Crl.O.P.(MD)No.13314 of 2020
DATED : 24.11.2020

SSS (CO)
AP (04/12/2020) 3P 3C