



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2021

CORAM :

WEB COPY

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.15475 of 2020

1.Rajathiyammal
2.Bhuvna Devi
3.Peraimkumar @ Premkumar ... Petitioners/Accused Nos.2 to 4
Vs.

1.State rep. by its
The Inspector of Police,
Thandikudi Police Station,
Dindigul District.
(Crime No.90 of 2017) ... 1st Respondent/Complainant

2.Jayamohan ... 2nd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records in Crime No.90 of 2017 pending on the file of the first respondent police and quash the same as against the petitioners.

For Petitioners : Mr.P.T.Ramesh Raja

For R1 : Mr.R.Erottuchamy
Government Advocate (Crl. Side)

For R2 : Mr.P.Suresh

ORDER

This petition has been filed seeking to quash the First Information Report in Crime No.90 of 2017 of Thandikudi Police Station, Dindigul District, on the basis of joint compromise memo filed by the petitioners and the second respondent.

2.The contention of the petitioners is that based on the complaint lodged by the second respondent, the first respondent registered a case in Crime No.90 of 2017, for the offences punishable under Sections 294(b), 506(1), 406 and 420 of IPC against the petitioners.



3.The further contention of the petitioners and the second respondent is that they want to compromise the issue between them amicably and that a joint memo of compromise is also filed in the typed set of papers, which have been duly signed by the petitioners and the second respondent and also by their respective counsels.

4.The petitioners and the second respondent appeared in person along with their respective counsels and also produced their Aadhar card before this Court. Their identification were also verified by this Court, in addition to the confirmation of the identification of the parties by the learned Government Advocate (Crl. side) and Mr.A.M.Manivel, Special Sub-Inspector of Police, Thandikudi Police Station, Dindigul District.

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memo, dated 15.12.2020, this Court is of the opinion that no useful purpose would be served in keeping the matter pending and hence, all further proceedings in Crime No.90 of 2017 pending on the file of the Inspector of Police, Thandikudi Police Station, Dindigul District, is liable to be quashed.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.90 of 2017, pending on the file of the Inspector of Police, Thandikudi Police Station, Dindigul District, is hereby quashed in respect of the petitioners/accused and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Sji

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

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,
Thandikudi Police Station,
Dindigul District

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

+2 CC to M/s.P.T.RAJESH RAJA, Advocate (SR-783[F] dated
11/01/2021)

Crl.O.P. (MD)No.15475 of 2020
07.01.2021

SMV(CO)
TR(22.01.2021) 3P 5C