



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2015

CORAM

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P.(MD)Nos.19668 and 19669 of 2015

1. Kuthalingam @ Mani
2. Kasipandian
3. Thangaraj
- 4.Saravanaraj @ Saravanan
5. Vijayakumar @ Vijay

... Petitioners/A1 to A5
in Crl.O.P.(MD)19668/2015

1. Karnan
2. Shanmugasundaram
3. Ramraj
4. Udayakumar
5. Manikandan
6. Pauldurai
7. Mariappan
- 8.Mathisuthan

... Petitioners/A1 to A8
in Crl.O.P.(MD)19669/2015

Vs.

- 1.The State Rep. By
The Deputy Superintendent of Police,
Alangulam Sub Division
Tirunelveli

... 1st respondent in
Crl.OP.19668/15

- 2.The State Rep. By
The Inspector of Police
Surrendai Police Station,
Tirunelveli District
Crime No.53/2015

... 1st respondent/Complainant in
Crl.OP.19669/15

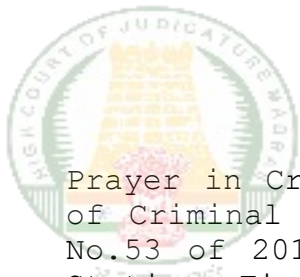
- 3.Pauldurai

... 2nd respondent/Defacto Complainant
in Crl.OP.No.19668/15

- 4.Manikandan

... 2nd respondent/ Defacto Complainant
in Crl.OP.No.19669/15

Prayer in Crl.OP.No.19668/2015 : Petition filed under Section 482 of Code of Criminal Procedure, to call for the charge sheet in connection with S.C.No.89 of 2015, on the file of the learned II Additional District Judge, Tirunelveli, in Crime No.52 of 2015, on the file of the 1st respondent / Inspector of Police, Surrendai Police Station, Tirunelveli



Prayer in Crl.OP.No.19669/2015 : Petition filed under Section 482 of Code of Criminal Procedure, to call for the First Information Report in Crime No.53 of 2015, on the file of the Inspector of Police, Surrendai Police Station, Tirunelveli District and quash the same.

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For Petitioners : Mr.B.Jeyakumar
(in Crl.OP.19668/15)
and for R2 in
(in Crl.OP.19669/15)

For Petitioners : Mr.V.P.Rajan
(in Crl.OP.19669/15)
and for R2 in
(in Crl.OP.19668/15)

For R1 in : Mrs.S.Prabha
both Crl.OPs. Govt. Advocate (Crl.Side)

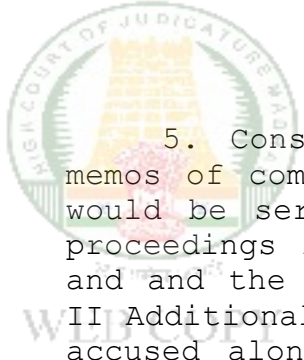
COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the proceedings in S.C.No.89 of 2015, on the file of the learned II Additional District Judge, Tirunelveli, in respect of Crime No.52 of 2015, on the file of the 1st respondent / Inspector of Police, Surrendai Police Station, Tirunelveli and also to quash the proceedings in Crime No.53 of 2015, on the file of the Inspector of Police, Surrendai Police Station, Tirunelveli District, respectively in Crl.OP.(MD)No.19668 and 19669 of 2015.

2. It is seen that a case in Crime No.52 of 2015 for the alleged offences under Sections 147, 148, 294(b), 323, 324 and 506(ii) IPC r/w. Section 149 of IPC and 3(1)(X) of SC/ST Prevention of Atrocities Act, has been registered against the petitioners / Accused in Crl.O.P.(MD) 19668/2015 and in respect of Crl.O.P.(MD)19669/2015, a case in Crime No.53 of 2015, has been registered for the offences under 147, 148, 294(b), 323, 324 and 506(ii) IPC.

3. When these matters are taken up for hearing, the petitioners/Accused and the second respondent in both cases, appeared in persons and their identifications were also verified by this Court, in addition to the confirmation of the parties by the Government Advocate (Crl.Side) through the respondent Police.

4. The counsel appearing on either side filed two separate memos of compromise duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the second respondent has agreed to withdraw the above case in Crime No.53 of 2015, pending on the file of the first respondent and the proceedings in S.C.No.89 of 2015, on the file of the learned II Additional District Judge, Tirunelveli, in Crime No.52 of 2015, on the file of the 1st respondent / Inspector of Police, Surrendai Police Station, Tirunelveli.



5. Considering the nature of allegations and also considering the memos of compromise, this Court is of the opinion that no useful purpose would be served in keeping these matters pending. Therefore, the entire proceedings in Crime No.53 and 2015 on the file of the first respondent and the proceedings in S.C.No.89 of 2015, on the file of the learned II Additional District Judge, Tirunelveli, in respect of the petitioners / accused alone, are hereby quashed. It is made clear that the offences contained in the aforesaid criminal cases may not be taken as a cause, depriving the petitioners for any admission to any college or for employment in future.

6. Accordingly, these Criminal Original Petitions are allowed on the basis of the compromise entered into between the parties. The joint compromise memos shall form part of this common order.

(Compromise memo vide separate sheet)

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

- 1.The II Additional District Judge,
Tirunelveli,
- 2.The Deputy Superintendent of Police,
Alangulam Sub Division
Tirunelveli
- 3.The Inspector of Police
Surrendai Police Station,
Tirunelveli District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2cc to M/S.B.Jeyakumar, Advocate in SR.No. 65143,65144

TS/17.11.2015/3P-7C/GSV-PM/SAR II

Cr1.O.P. (MD) Nos.19668 and 19669 of 2015

05.11.2015