



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.04.2015
CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

CRL.O.P(MD)Nos.8301 & 8302 of 2015

WEB COPY

1.Crl.O.P(MD)No.8301 of 2015:-

1.Murugesan
2.Ravi @ Ravichandran
3.Nallayyan ... Petitioners/Accused 1 to 3

Vs.

1.The Sub-Inspector of Police,
Keeranur Police Station,
Pudukkottai District. ... 1st Respondent/Complainant

2.Murugesan ... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1908 praying to call for records pertaining to S.C.No.115 of 2006 on the file of the Chief Judicial Magistrate Court, Pudukkottai and quash the same.

For Petitioner : Mr.B.Jameel Arasu
For R - 1 : Mr.K.Anbarasan
Government Advocate (Crl. Side)

For R - 2 : Mr.A.Joel Paul Antony

2.Crl.O.P(MD)No.8302 of 2015:-

1.Manikandan
2.Perumal
3.Murugesan
4.Saritha
5.Tamilarasi ... Petitioners/Accused 1 to 5

Vs.

Murugesan ... Respondent/Defacto complainant

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1908 praying to call for records pertaining to the private complaint in C.C.No.1 of 2014 on the file of the Chief Judicial Magistrate Court, Pudukkottai, Pudukkottai District and quash the same.

For Petitioner : Mr.A.Joel Paul Antony
For R - 1 : Mr.K.Anbarasan
Government Advocate (Crl. Side)
For R - 2 : Mr.B.Jameel Arasu



COMMON ORDER

These Criminal Original Petitions have been filed to call for records in connection with S.C.No.115 of 2006 on the file of the Chief Judicial Magistrate Court, Pudukkottai and C.C.No.1 of 2014 on the file of the Chief Judicial Magistrate Court, Pudukkottai, Pudukkottai District respectively and quash the same.

2. As both the cases are case and counter, they have taken up together and disposed of by a common order.

3. Heard both sides.

4. The petitioners in CrI.O.P(MD)No.8301 of 2015 are arrayed as accused in Sessions Case No.115 of 2006 for the alleged offences under Sections 307, 326, 323 read with 34 of the Indian Penal Code. The major offence is 307 of the Indian Penal Code and the petitioners in CrI.O.P(MD)No.8302 of 2015 are arrayed as accused in C.C.No.1 of 2014 for the alleged offences under Sections 147, 148, 323, 324, 326 and 307 of the Indian Penal Code on the basis of the complaint given under Section 200 Cr.P.C and seeking to quash the said proceedings, the present petitions have been filed.

5. When the matters are taken up for hearing, a joint memo of compromise has been filed by both parties and it is also signed by both the parties and counsels, in which, it is stated that there is no necessary to proceed further in future. The petitioners as well as the second respondent in CrI.O.P(MD)No.8301 of 2014 and the petitioners as well as the respondent in CrI.O.P(MD)No.8302 of 2014 are also present before this Court. The said joint memo of compromise is taken on record.

6. Though the offence is not compoundable, after going through the records, this Court is of the view that it is a fit case for quashing S.C.No.115 of 2006 and C.C.No.1 of 2014, in any case, in view of the compromise memo there is no possibility of trial proceedings, after examining the witnesses.

7. Accordingly, these Criminal Original Petitions are allowed and the proceedings in S.C.No.115 of 2006 on the file of the Chief Judicial Magistrate Court, Pudukkottai and C.C.No.1 of 2014 on the file of the Chief Judicial Magistrate Court, Pudukkottai, Pudukkottai District is quashed.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar



To

1.The Chief Judicial Magistrate Court,
Pudukkottai.

2.The Sub-Inspector of Police,
Keeranur Police Station,
Pudukkottai District.

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

+1cc to MR.B.JAMEEL ARASU, ADVOCATE IN SR : 23625

+1cc to MR.A.JOEL PAUL ANTONY, ADVOCATE IN SR : 23623

Ps

SR/SJW : 12.05.2015 : 3p/6c

CRL.O.P(MD)Nos.8301 & 8302 of 2015
28.04.2015