

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.16491 of 2016 & Crl.M.P. No.8000 of 2016
Crl.O.P. No.16492 of 2016 & Crl.M.P. No.8001 of 2016

1 Vinoch

2 Santhi

..Petitioners in Crl.O.P. No.16491 of 2016/Accused
Nos.1 & 2

vs.

1 The State represented by
the Inspector of Police
Thalaivasal Police Station
Salem District

2 Rajenthiran

..Respondents in Crl.O.P. No.16491 of 2016/Complainant

1 Kuppusamy

2 Rajenthiran

3 Aththay

..Petitioners in Crl.O.P. No.16492 of 2016/Accused
Nos.1 to 3

vs.

1 The State represented by
the Inspector of Police
Thalaivasal Police Station
Salem District.

..Respondent/Complainant

2 Vinoch

..Respondents in Crl.O.P. No.16492 of 2016/De-facto
Complainant

Criminal Original Petitions filed under Section 482 Cr.P.C.
seeking to call for the records pending on the file of the
Inspector of Police, Thalaivasal Police Station, Salem District

in Crime No.233 and 231 of 2016 respectively and quash the criminal proceedings.

For Petitioner in
Crl.O.P. No.16491 of 2016

Mr. D. Dayalan

For R1 in
Crl.O.P. No.16491 of 2016

Mr. C. Emalias
Addl. Public Prosecutor

For R2 in
Crl.O.P. No.16491 of 2016

Mr. E. Kannadasan

For Petitioner in
Crl.O.P. No.16492 of 2016

Mr. E. Kannadasan

For R1 in
Crl.O.P. No.16492 of 2016

Mr. C. Emalias
Addl. Public Prosecutor

For R2 in
Crl.O.P. No.16492 of 2016

Mr. D. Dayalan

COMMON ORDER

These Criminal Original Petitions have been filed seeking to call for the records pending on the file of the Inspector of Police, Thalaivasal Police Station, Salem District in Crime Nos.233 and 231 of 2016 respectively and quash the criminal proceedings.

2 On the complaint lodged by Vinoch, the first respondent police registered a case in Crime No.231 of 2016 on 27.06.2016 for offences under Sections 294(b), 342, 323, 324 and 506(II) IPC against Kuppusamy, Rajenthiran and Aththayi. On the complaint lodged by Rajenthiran, the first respondent police registered a counter case in Crime No.233 of 2016 on 27.06.2016 for offences under Sections 294(b), 323, 324 and 506(II) IPC against Vinoch and Santhi. It may be relevant to state here that Vinoch is none other than Rajenthiran's son. Since the parties have arrived at a compromise, they are before this Court for quashing the First Information Reports.

3 Today, all the parties are present before this Court and they are identified by Mr. S. Subramanian, Special Sub Inspector, Thalaivasal Police Station, Salem District, who is also present today.

4 The parties have filed a joint memo of compromise dated 26.07.2016, duly signed by them, wherein, it has been stated as follows:

"2. The petitioners/accused and the second respondent/de facto complainant submits that both were agreed that they were not given trouble each other and they were not given complaint against each other in future and they are living together in a joined family house.

3. The petitioners/accused and the second respondent/de facto complainant submits that they are voluntarily come forward and filing this joint compromise memo without any coercion or undue influence, on their own accord and they are filing this joint compromise memo."

In view of the above, the cases in Crime Nos.233 and 231 of 2016 on the file of the first respondent police are quashed and both the Criminal Original Petitions are allowed. Connected Crl.M.Ps. are closed.
cad

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1 The Inspector of Police
Thalaivasal Police Station
Salem District

2 The Public Prosecutor
High Court of Madras
Chennai 600 104.

+ 1 CC TO MR.D.DAYALAN, ADVOCATE SR 46241

+ 2 CCS TO MR.E.KANNADASAN, ADVOCATE SR 46168, 46169

KR/9/9/16

CrI.O.P.Nos.16491 & 16492 of 2016