



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2016

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) Nos.17250 and 17253 of 2016

In Crl.O.P. (MD) .No.17250 of 2016:

- 1.Sharavanan
- 2.Pothum Ponnu

.. Petitioners/A1 &A2

-vs-

1. State represented by
The Sub Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.69/2016)

.. 1st Respondent/Complainant

2. Palani

.. 2nd Respondent/Defacto Complainant**In Crl.O.P. (MD) .No.17253 of 2016:**

- 1.Palani
- 2.Minor Manikandan @ Muthumanikandan
(rep.by father Palani)

.. Petitioners/A1 &A2

-vs-

1. State represented by
The Sub Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.69/2016)

.. 1st Respondent/Complainant

2. Sharavanan

.. 2nd Respondent/Defacto Complainant

Common Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the records relating to the proceedings in Crime Nos.69 and 68 of 2016 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.B.Muneewsaran
in Crl.O.P.(MD)No.17250 of 2016
Mr.K.P.Narayana Kumar
in Crl.O.P. (MD)No.17253 of 2016

For R1
<https://hcservices.ecourts.gov.in/hcservices/>

: Mr.K.Anbarasan
Govt. Advocate (Crl.Side)
in both cases



For R2

:Mr.K.P.Narayana Kumar
in CrI.O.P.(MD)No.17250 of 2016

Mr.B.Muneewsaran
for M/s.S.J.Chakkaravarthy
in CrI.O.P.(MD)No.17253 of 2016

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COMMON ORDER

These petitions have been filed seeking to quash the cases registered in Crime Nos.69 and 68 of 2016, on the file of the 1st respondent herein.

2. It is seen that the cases in Crime Nos.69 and 68 of 2016 for the alleged offences under Sections 294(b), 324 and 506(ii) IPC, on the file of the 1st respondent police, have been registered as case and counter case against the accused persons in these petitions.

3.The first petitioner and the second respondent/defacto complainant, in these petitions are brothers. The second respondent/defacto complainant in CrI.O.P(MD) No.17253 of 2016 gave a complaint against the petitioner in Crime No.69 of 2016 alleging that due to the property dispute, the petitioner with other accused person entered into the house of the defacto complainant and threatened them with dire consequences and attacked the wife of the defacto complainant with iron rod.

4. Per contra, a counter case has been filed in Crime No.68 of 2016 by the second respondent/defacto complainant in CrI.O.P(MD) No.17253 of 2016 against the petitioner alleging that due to the property dispute, the petitioner with other accused person entered into the house of the defacto complainant and threatened them with dire consequences and attacked the defacto complainant with iron rod.

5. When the matter is taken up for hearing, the petitioners and the second respondent/defacto complainant in both petitions, appeared in person and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (CrI.Side) through the respondent police.

6. Learned counsel appearing for the second respondent/defacto complainant in both cases would submit that the matter is now compromised between the parties out of the Court by the elders of the family.

7. Further, learned counsel appearing for both parties filed separate joint memo of compromise dated 07.09.2016 in both petitions, duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the



second respondent in both petitions has no objection to quash the above cases in Crime Nos.69 and 68 of 2016, pending on the file of the first respondent.

8. Hence, in view of the separate joint memo of compromise, dated 07.09.2016, this Court is of the opinion that it can safely be said that no useful purpose would be served in keeping the matter pending.

9. Accordingly, these Criminal Original Petitions are allowed and the entire proceedings in Crime Nos.69 and 68 of 2016, on the file of the 1st respondent police in respect of the petitioners/accused persons is hereby quashed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

PJL

To

1.The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.

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

+1 cc to Mr.S.J.CHAKKARAVARTHY ,Advocate, Sr.No: 52442

+1 cc to Mr.K.P.NARAYANAKUMAR ,Advocate, Sr.No: 52443

JAM/SKS-RR/28.09.16 /3P-5C

Cr1.O.P. (MD) Nos.17250 and 17253 of 2016
14.09.2016