



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.10.2016

CORAM

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD).Nos.18893 and 18894 of 2016
and
Crl.O.P.(MD).No.13554 of 2016

In Crl.O.P.(MD).No.18893 of 2016:

1.Balasubramani
2.Karupasamy
3.Rajasekar
4.Pugal .. Petitioners/Accused Nos.1 to 4

Vs

1.The State through
The Inspector of Police,
District Crime Branch,
Madurai District. ... Respondent/Complainant

2.Kannan ... Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records connected with the case in Crime No.45 of 2015 on the file of the respondent police and quash the same as illegal.

In Crl.O.P.(MD).No.18894 of 2016:

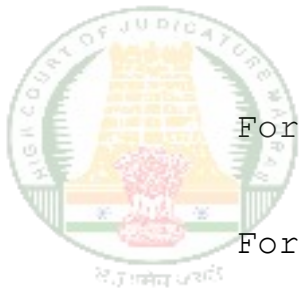
1.Rajasekar
2.Pugal
3.Balasubramani
4.Karuppasamy .. Petitioners/Accused Nos.1 to 4

Vs

1.The State through
The Inspector of Police,
Silaiman C-5 Police Station,
Madurai District. ... Respondent/Complainant

2.Kannan ... Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records connected with the case in Crime No.156 of 2015 on the file of the respondent police and quash the same as illegal.



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For Petitioners : Mr.R.Alagumani
in both petitions

For R1 : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)
in both petitions

For R2 : Mr.K.Ravichandran
in both petitions

In Crl.O.P. (MD) .No.13554 of 2015:

1.A.V.Manoharan
2.M.Chidambaram
3.R.Jaishankar
4.R.Sivakumar
5.S.Sundarapandian .. Petitioners/Accused Nos.5 to 9

Vs

1.The Inspector of Police,
District Crime Branch,
Madurai. ... Respondent/Complainant

2.P.Kannan ... Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records connected with the case in Crime No.45 of 2015 on the file of the Inspector of Police, District Crime Branch, Madurai and quash the same in so far as the petitioners are concerned.

For Petitioners : Mr.Veerakathiravan
Senior Counsel For Mr.C.Karthik

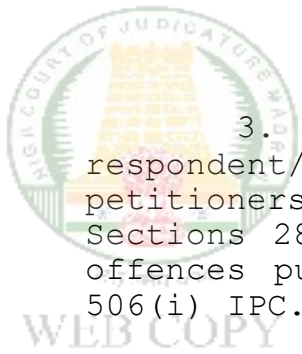
For R1 : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

For R2 : Mr.K.K.Kannan

COMMON ORDER

These petitions have been filed to call for the records in connection with Crime Nos.45 of 2015 and 156 of 2015 on the file of the respective respondent police and quash the same. Since, two cases have been registered against the petitioners in these petitions and the allegations are one and the same, these petitions are taken up for disposal by common order.

2. Heard the learned counsel and senior counsel appearing for the petitioners, the learned Government Advocate (Crl. Side) appearing for the first respondent and the learned Counsel appearing for the second respondent, in all petitions.



3. Based on the complaint given by the second respondent/defacto complainant, case has been registered against the petitioners in Crime No.45 of 2015 for the offences punishable under Sections 287, 337 and 506(i)IPC and in Crime No.156 of 2015 for the offences punishable under Sections 323, 287, 338, 202, 406, 420 and 506(i) IPC., on the file of the respective respondents.

4. When the matter is taken up for hearing, all the petitioners as well as the second respondent are 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 (Crl. Side) through the respondent police and they categorically made a statement that the dispute between them have been settled amicably out of Court. The petitioners/A1 to A4 and the defacto complainant also filed a memo of compromise dated 19.09.2016 duly signed by both parties and counter signed by their respective Counsel. The defacto complainant has no objection to quash the FIR in Crime Nos.45 of 2015 and 156 of 2015 on the file of the respondent police, against all the accused persons .

6. In view of the statements made by the parties and the compromise memo filed by them, no fruitful purpose will be achieved to proceed further in this matter.

7. In the result, these Criminal Original Petitions are allowed and the entire proceedings in Crime No.45 of 2015 for the offences punishable under Sections 287, 337 and 506(i)IPC and Crime No.156 of 2015 for the offences punishable under Sections 323, 287, 338, 202, 406, 420 and 506(i) IPC., on the file of the respective respondent police is quashed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Encl:Xerox copy of Compromise Memo

Sub Assistant Registrar

PJL

To

1. The Inspector of Police, District Crime Branch,
Madurai District.

2.The Inspector of Police, Silaiman C-5 Police Station,
Madurai District.

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

+2CC to Mr.C.Karthik, Advocate Sr.No.58250

GJM/PV/SAR-I-25.10.16-3p-5C

Crl.O.P. (MD) .Nos.18893
and 18894 of 2016

and

Crl.O.P. (MD) .No.13554 of 2016
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