



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2016

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) Nos.21784 and 21785 of 2016

In Crl.O.P.(MD) No.21784 of 2016:

1.M.Palvijai @ Vijay
2.R.Ilango
3.Mutukutty ... Petitioners/A1 to A3

-vs-

1. State rep. By
Sub-Inspector of Police,
Achanpudhur Police Station,
Tirunelveli District
(Crime No.206 of 2016) ... Respondent No.1/Complainant
2. M.Mohammed Magthoom ... 2nd Respondent/Defacto Complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to record the compromise reached between the petitioners/Accused Nos.1 to 3 and 2nd respondent/defacto complainant and call for the records in Crime No. 206 of 2016 on the file of the first respondent and quash the same.

For Petitioner : Mr.TP.Muthuraja

For R1 : Mr.K.Anbarasan
Government Advocate(Crl.side)

For R2 : Mr.A.Anandan

In Crl.O.P.(MD) No.21785 of 2016:

1.Mohammed Magthoom
2.Mohammed Ali ... Petitioners/A1 & A2

-vs-

1. State rep. By
Sub-Inspector of Police,
Achanpudhur Police Station,
Tirunelveli District
(Crime No.205 of 2016) ... Respondent NO.1/Complainant
2. M.Vijay ... 2nd Respondent/Defacto Complainant



Prayer: Petition filed under Section 482 of Code of Criminal Procedure to record the compromise reached between the petitioners/A1 and A2 and the second respondent/Defacto complainant and call for the records in Crime No.205 of 2016 on the file of the first respondent police and quash the same.

For Petitioner : Mr.A.Anandan

For R1 : Mr.K.Anbarasan
Government Advocate(Crl.side)

For R2 : Mr.Muthuraja

C O M M O N O R D E R

These petitions have been filed seeking to quash FIRs in Crime Nos. 205 and 206 of 2016 with regard to the petitioners.

2. It is seen that a case in Crime No.205 of 2016 for the offences under Sections for the offences under Sections 147, 24b), 323, 324, 506(ii) IPC r/w Sections 3(1)(r)(s), 3(2)(Va) SC/ST Amendment Act, 2015 has been registered against the petitioners in Crl.O.P.(MD) No.21785 of 2016 and a case in Crime No.206 of 2016 for the offences under Sections 294(b), 323, 324, 379(NH), 506ii) IPC r/w Section 4 of TN Prohibition of Harassment of Women Act, 2002 has been registered against the petitioners in Crl.O.P.(MD) No.21784 of 2016.

3. When the matters are taken up for hearing, the parties appeared in person and their identifications were also verified by this Court. Learned counsel appearing for the parties also endorsed the identity of their respective parties.

4. The learned counsel appearing on either side filed a joint memo of compromise dated 14.11.2016, duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the second respondent in both applications have agreed to quash FIRs in Crime Nos. 205 and 206 of 2016 with regard to the petitioners.

5. Considering the nature of allegations and in view of joint memo of compromise dated 14.11.2016, this Court is of the opinion that no useful purpose would be served in keeping the proceedings pending. Therefore, both FIRs in Crime Nos. 205 and 206 of 2016 with regard to the petitioners are hereby quashed. As per the order dated 14.11.2016, the petitioners have paid Rs.10,000/- to the Parents and Teachers Association, Government Secondary School, Alachur, Pattukottai and a cost memo has been filed to that effect.



6. Accordingly, the Criminal Original Petitions are allowed on the basis of the compromise entered into between the parties. The joint compromise memos dated 14.11.2016 shall form part of this common order.

(*) JOINT COMPROMISE MEMO ENCLOSED IN THIS ORDER

Sd/
Assistant Registrar(RTI)

/TRUE COPY/

Sub Assistant Registrar

To:

1. Sub-Inspector of Police, Achanpudhur Police Station,
Tirunelveli District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.A.Anandan, Advocate, in SR No.70716.

+1cc to M/s.P.Muthuraja, Advocate, in SR No.70717.

Cr1.O.P.(MD) Nos.21784 and 21785 of 2016
21.11.2016

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msm/ck/sar3/14.12.16/p3/5c