



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2016

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) Nos.22567 and 22568 of 2016

Crl.O.P. (MD) No.22567 of 2016:

1.Deivendran
2.Selvam
3.Alakarsamy
4.Subramani

.. Petitioners/Accused 1 to 4

Vs

1.The Inspector of Police,
Avaniyapuram Police Station,
Madurai.

... 1st Respondent/Complainant

2.Devi

...2nd Respondent/Defacto
Complainant**Crl.O.P. (MD) No.22568 of 2016:**

Manikandan

.. Petitioner/sole accused

Vs.

1.The Inspector of Police,
Avaniyapuram Police Station,
Madurai.

... 1st Respondent/Complainant

2.Deivendran

..2nd Respondent/Defacto
Complainant

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, praying to quash the criminal case in Crime Nos.1735 of 2016 and 783 of 2013 respectively, on the file of the common 1st respondent.

In Crl.O.P. (MD) No.22567 of 2016:

For Petitioners : Mr.J.Praveen

For R1 : Mr.P.Kannithevan
Government Advocate (Crl.Side)

For R2 : Mr.P.Daviarasan

**In CrI.O.P. (MD) No.22568 of 2016:**

For Petitioner : Mr.P.Kaviarasan
For R1 : Mr.P.Kannithevan
Government Advocate (CrI.Side)
For R2 : Mr.J.Praveen

C O M M O N O R D E R

These petitions have been filed to quash the criminal cases in Crime Nos.1735 of 2016 and 783 of 2013 respectively, on the file of the common 1st respondent. These cases are case and case in counter. Therefore, both cases are disposed of by way of common order.

2. Heard the learned Counsel for the petitioners in both cases, the learned counsel for the second respondent in both cases and the learned Government Advocate (CrI.Side) appearing for the common first respondent.

3. Based on the complaint given by the second respondent/defacto complainant, one Devi, a case has been registered against the petitioners in Crime No.1735 of 2016 for the offences under Sections 448, 342, 352, 323, 365 and 506(i) IPC., on the file of the common first respondent and a counter case has been registered against the petitioner, on the complaint of the 2nd respondent/defacto complainant, one Deivendran, for the offences under Sections 420, 406 and 506(i) of IPC., in Crime No.783 of 2013, on the file of the common first respondent

4. When these matters were taken up for hearing on 29.11.2016, both the petitioners as well as the second respondent in both cases have 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 and they categorically made a statement that the dispute between them have been settled amicably. They also filed a memo of compromise dated 08.11.2016, duly signed by both parties and counter signed by their respective Counsel. They would also further submit that they are willing to donate Rs.50,000/- to Bharathan Muthukumarasamy Panchayat Primary School, T.Kallupatti, Madurai District, in favour of R.Gopalakrishnan, SB.No.1016101072796, IFSC Code:CNRB0001016, Canara Bank, Peraiyur, Madurai District.

5. In view of the above, this Court permitted the petitioners to pay Rs.50,000/- to Bharathan Muthukumarasamy Panchayat Primary School, T.Kallupatti, Madurai District and the appearance of the parties is dispensed with.



6. When these matters are taken up for hearing today, the cost memo has been filed by both the learned counsels for the petitioners. 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 view of the above, these Criminal Original Petitions are allowed and the entire proceedings in Crime No.1735 of 2016, for the offences under Sections 448, 342, 352, 323, 365 and 506(i) IPC., and Crime No.783 of 2013, for the offences under Sections 420, 406 and 506(i) of IPC., respectively, on the file of the common first respondent, is quashed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

PJL

To

1.The Inspector of Police,
Avaniyapuram Police Station, Madurai.

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

GJM/SKN/28.12.16-3p-3C

Cr1.O.P.(MD) Nos.22567
and 22568 of 2016