



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2017

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

Crl.O.P.(MD) Nos.10159 and 10160 of 2017

Crl.O.P.(MD) No.10159 of 2017:

- 1.Prakash
- 2.Prabakaran
- 3.Pandidurai
- 4.Muthulakshmi
- 5.Arulraj
- 6.Anandaraj
- 7.Sathiyaraj @ Sakthi
- 8.Anbalagan
- 9.Ranjith
- 10.Sakthi
- 11.Prabudeva @ Prabu @ Prasath
- 12.Kalidoss
- 13.Elango

... Petitioners
/Accused Nos. 1 to 13

-Vs-

1. The State represented by
The Inspector of Police,
C4, Othakadai Police Station,
Madurai District,
(In Crime No.229 of 2011) ... 1st Respondent/Complainant
2. Marimuthu ... 2nd Respondent
/De-facto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to call for the first information report in Crime No. 229 of 2011 on the file of the Inspector of Police, C4-Othakadai Police Station, Madurai District and quash the same.

For Petitioners : Mr.B.Jeyakumar
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 : Mr.V.P.Rajan

Crl.O.P.(MD) No.10160 of 2017:<https://hcservices.ecourts.gov.in/hcservices/>

- 1.Marimuthu
- 2.Vanitha



3.Murugan
4.Balaji
5.Balaguru
6.Ravi
7.Nirmala

... Petitioners/Accused No. 1 to 7

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-Vs-

1. The State represented by
The Inspector of Police,
C4, Othakadai Police Station,
Madurai District,
(In Crime No.228 of 2011) ... 1st Respondent/Complainant

2. Prabakaran ... 2nd Respondent
/De-facto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to call for the first information report in Crime No. 228 of 2011 on the file of the Inspector of Police, C4-Othakadai Police Station, Madurai District and quash the same.

For Petitioners : Mr.V.P.Rajan
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).

For R-2 : Mr.B.Jeyakumar

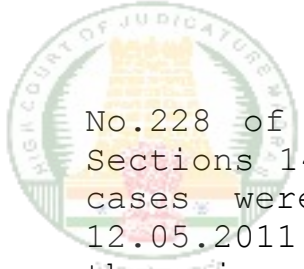
COMMON ORDER

The Criminal Original petition in Crl.O.P.(MD) No.10159 of 2017 has been filed to quash the proceedings in Crime No. 229 of 2011 on the file of the first respondent police.

2.The Criminal Original petition in Crl.O.P.(MD) No.10160 of 2017 has been filed to quash the proceedings in Crime No. 228 of 2011 on the file of the first respondent police.

3.The petitioners in Crl.OP(MD) No.10159 of 2017 are the accused Nos.1 to 13 in Crime No.229 of 2011 and similarly the petitioners in Crl.OP(MD) No.10160 of 2017 are the accused Nos.1 to 7 in Crime No.228 of 2011. The second petitioner in Crl.OP(MD) No.10159 of 2017 is the de-facto complainant in Crl.OP(MD) No.10160 of 2017. The first petitioner in Crl.OP(MD) No.10160 of 2017 is the de-facto complainant in Crl.OP(MD) No.10159 of 2017.

4.The complaint in Crime No.229 of 2011 was registered for the offence punishable under Sections 147, 148, 294(b), 341, 342, 323, 324 and 506 (ii) IPC. Similarly, the complaint in Crime



No.228 of 2011 was registered for the offences punishable under Sections 147, 148, 294(b), 341, 342, 323, 324 and 506(ii) IPC. The cases were registered, pursuant to the incident occurred on 12.05.2011. Though the cases, were registered in the year 2011, there is no progress on the same.

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5. It appears that at the advise of the elders and friends, the petitioners and second respondent in both the cases have agreed to compromise the matter, out of Court. A Joint Compromise Memo, dated 28.07.2017, is also filed to that effect. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent, in both cases, have given their consent to quash the entire proceedings culminating in Crime Nos.229 and 228 of 2011.

5. The parties appeared before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memo on their own will and volition. The identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Government Advocate (Criminal side) through the first respondent police.

6. Having regard to the agreement made between the parties, this Court is of the view that no useful purpose will be served by keeping this matter pending. As per the Compromise Memo signed by the parties, the de-facto complainant, namely, the second respondent in both cases have agreed to quash the proceedings in Crime Nos. 229 and 228 of 2011. Hence the criminal proceedings culminating in Crime Nos. 229 and 228 of 2011, on the file of the first respondent, namely, the Inspector of Police, C4, Othakadai Police Station, Madurai District, are quashed in toto and the Joint Compromise Memo signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petitions are allowed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

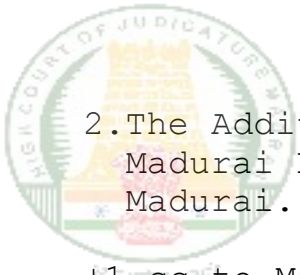
Encl:Xerox copy of Compromise memo

1.The Inspector of Police,

C4, Othakadai Police Station,

Madurai District.

<https://hcservices.madurai.gov.in/>



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

+1 cc to Mr.B.Jeyakumar , Advocate in SR.No. 70458

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cmr/gsp

AE/KP/SAR2/21.08.2017/4P/4C

Cr1.O.P.(MD) No.10159 of 2017
AND 10160 of 2017
03.08.2017