



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.10211 and 10212 of 2017

Crl.O.P.(MD) No.10211 of 2017

- 1.Kamala
- 2.Selvam
- 3.Prabhu
- 4.Jayaprakash
- 5.Muniyandi

... Petitioners/Accused Nos. 1 to 5

-Vs-

1. The Inspector of Police,
Ottanchathiram Police Station,
Dindigul District.
(In Crime No.26 of 2016)

... 1st Respondent/Complainant

2. Vennila

... 2nd Respondent
/ De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the FIR in Crime No. 26 of 2016 on the file of the Inspector of Police, Ottanchathiram Police Station, Dindigul District.

For Petitioners : Mr.S.Gokul Raj

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

For R-2 : Mr.P.Balasubramanian

Crl.O.P.(MD) No. 10212 of 2017

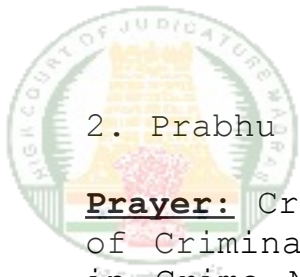
- 1.Kanagaraj
- 2.Vennila

... Petitioners/Accused No. 1 to 2

-Vs-

1. The Inspector of Police,
Ottanchathiram Police Station,
Dindigul District.
(In Crime No.27 of 2016)

... 1st Respondent/Complainant



2. Prabhu

... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the FIR in Crime No. 27 of 2016 on the file of the Inspector of Police, Ottanchathiram Police Station, Dindigul District.

For Petitioners : Mr.P.Balasubramanian
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 : Mr.S.Gokul Raj

COMMON ORDER

The Criminal Original Petition in Crl.O.P.(MD) No. 10211 of 2017 has been filed by the petitioners who are accused Nos.1 to 5 to quash the FIR in Crime No. 26 of 2016 on the file of the first respondent police, which was registered pursuant to the complaint of the second respondent respondent / de-facto complainant for the offences punishable under Sections 147, 341, 294(b), 323 and 506(1) IPC.

2.The Criminal Original Petition in Crl.O.P.(MD) No. 10212 of 2017 has been filed by the petitioners who are accused Nos.1 and 2 to quash the FIR in Crime No. 27 of 2016 on the file of the first respondent police, which was registered pursuant to the complaint of the second respondent respondent / de-facto complainant for the offences punishable under Sections 294(b), 323 and 506(1) IPC.

3.The third petitioner in Crl.O.P.(MD) No.10211 of 2017 is the second respondent / de-fact complainant in Crl.O.P.(MD) No.10212 of 2017 and similarly the second petitioner in Crl.O.P.(MD) No.10212 of 2017 is the second respondent / de-fact complainant in Crl.O.P.(MD) No.10211 of 2017.

4.It appears that at the advise of the elders and friends, the petitioners and second respondent in both cases have agreed to compromise the matter out of Court. The Joint Compromise Memos, dated 28.07.2017, are also filed. As per the Joint Compromise Memo, the defacto complainant, namely, second respondent in both cases have given their consent to quash the entire proceedings culminating in Crime Nos.26 and 27 of 2016.

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 presented 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 these matters 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 against the petitioners. Hence the criminal proceedings culminating in Crime Nos.26 and 27 of 2016 on the file of the Inspector of Police, Ottanchathiram Police Station, Dindigul District, is 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(AD-II)

/True copy/

Sub Assistant Registrar

To

Encl:Xeorx copy of compromise memo

The Inspector of Police,
Ottanchathiram Police Station,
Dindigul District.

+1 cc to Mr.S.Gokulraj , Advocate in SR.No. 70302

+1 cc to Mr.P.Balasubramanian , Advocate in SR.No. 70303

cmr/gsp

AE/SKN RSK/SAR3/22.08.2017/3P/4C

Cr1.O.P. (MD) Nos.10211 and 10212 of 2017

03.08.2017