



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2017

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THE HON'BLE MR.JUSTICE S.S.SUNDARCr1.O.P.(MD) Nos.10245 & 10246 of 2017CRL.O.P.(MD)No.10245 of 2017

Prabhakaran @ Muthukumaran ... Petitioner/Sole Accused

Vs.

1.The State through the Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.
(Crime No.452 of 2016) ... 1st Respondent/ Complainant

2. Bose ... 2nd Respondent/ Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to record the present compromise terms and to quash the criminal case registered in Crime No.452 of 2016, on the file of the Usilampatti Town Police Station, Usilampatti, Madurai District.

For Petitioner : Mr.K.R.Laxman

For R-1 : Mr.K.Anbarasan,
Government Advocate(Cr1.side).

For R-2 : Mr.B.Saravanan

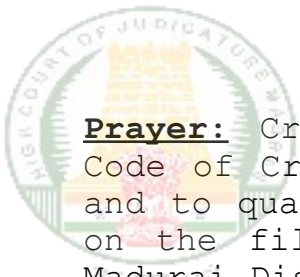
CRL.O.P.(MD)No.10246 of 2017

1. Bose
2. Suresh ... Petitioners/Accused Nos.1 and 2

-Vs-

1.The State through the Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.
(Crime No.453 of 2016) ... 1st Respondent/Complainant

2. Prabhakaran ... 2nd Respondent/Defacto Complainant



Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to record the present compromise terms and to quash the criminal case registered in Crime No.453 of 2016, on the file of the Usilampatti Town Police Station, Usilampatti, Madurai District.

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For Petitioners : Mr.B.Saravanan
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 : Mr.K.R.Laxman

C O M M O N O R D E R

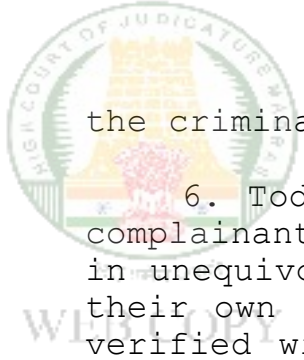
These Criminal Original petitions are filed to record the present compromise terms and to quash the criminal cases registered in Crime Nos.452 and 453 of 2016, on the file of the Usilampatti Town Police Station, Usilampatti, Madurai District.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal side) appearing for the first respondent and the learned counsel appearing for the second respondent.

3. The petitioner/sole accused in Crl.O.P.(MD)No.10245 of 2017 is the defacto complainant in Crime No.453 of 2016 and the first petitioner/first accused in Crl.O.P.(MD)No.10246 of 2017 is the defacto complainant in Crime No.452 of 2016.

4. This is a case where there is a case and counter. On the basis of the complaint lodged by the second respondent/defacto complainant against the petitioner in Crl.O.P.(MD)No.10245 of 2017, a case was registered in Crime No.452 of 2016 for the offence under Sections 147, 148, 447, 294(b), 506(ii) of I.P.C., and Section 3(1) of Tamil Nadu Public Property(Prevent of Damage and Loss) Act, 1992. Similarly, based on the complaint lodged by the second respondent/defacto complainant against the petitioners in Crl.O.P.(MD)No.10246 of 2017, a case was registered in Crime No.453 of 2016 for the offence under Sections 147, 148, 447, 294(b), 506(ii) of I.P.C., and Section 3(1) of Tamil Nadu Public Property(Prevent of Damage and Loss) Act, 1992.

5. After the case was registered as detailed above, it appears that the parties, namely, the petitioners and the second respondent in both the cases who are relatives, have settled their dispute amicably out of Court, on the advise of the family members and neighbours. They have also entered into a compromise. Joint Compromise Memos, dated 28.07.2017, signed by the parties are produced before this Court. As per the Joint Compromise Memos, the defacto complainants in the respective cases have agreed to withdraw



the criminal cases and also agreed for quashing the criminal cases.

6. Today, the parties, namely, the petitioners and the defacto complainants in both cases appeared before this Court and expressed in unequivocal terms that they have signed the Compromise Memos on their own free will and volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Government Advocate(Criminal side) through the first respondent police.

7. Having regard to the specific terms of the Joint Compromise Memos, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending. Hence, on the basis of the Compromise Memos signed by the parties, the Criminal Original petitions are allowed and the criminal cases registered in Crime Nos.452 and 453 of 2017 on the file of the first respondent herein are quashed in respect of the petitioners herein. The Compromise Memos signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.

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

PMU

JS/GT/SAR.1/30.08.2017/3P-3C

Crl.O.P.(MD) Nos.10245 & 10246 of 2017
04.08.2017