



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.10949 of 2017

- 1.Balamurugan
- 2.Selvam
- 3.Paunraj
- 4.Chinna Sethupathi
- 5.Soundirapandi
- 6.Rajaguru
- 7.Thirumal
- 8.Ramachandiran
- 9.Vignesh
- 10.Balu @ Balamurugan
- 11.Suresh @ Sureshkumar
- 12.Gurunathan
- 13.Suresh @ Mottaiyan @ Suresh Pandi
- 14.Sathish @ Balamurugan
- 15.Thangapandi
- 16.Chokkan
- 17.Kottaiyan
- 18.Amarpandi @ Pandiarajan
- 19.Karuppasamy
- 20.Alagumalai Kannan
- 21.Suriyaprakash
- 22.Chellapandi

... Petitioners

-Vs-

1. State rep.by
The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
(Crime No.43 of 2016) ... 1st Respondent/Complainant
2. Sarmila ... 2nd Respondent/Defacto-
Complainant

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to quash the case in Crime No.43 of 2016 on the file of the first respondent police station, by accepting the joint compromise memo dated 26.06.2017.



For Petitioners : Mr.R. Gowri Shankar

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

For R-2 : Mr.K.Radhakrishnan

O R D E R

This Criminal Original petition is filed to quash the case in Crime No.43 of 2016 on the file of the first respondent police station, by accepting the joint compromise memo dated 26.06.2017.

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. On the basis of a complaint given by the second respondent, a case was registered in Crime No.43 of 2016 for the offences punishable under Sections 147,148,294(b), 323, 324 and 506(ii) of IPC r/w. Section 4 of Tamil nadu Prohibition of Women Harassment Act against the petitioners.

4. The petitioners in this petition and also the connected Criminal Original Petitions viz., Crl.O.P(MD).Nos.10950 to 10953 of 2017 are the parties belong to the same village and several incidents of crime reported due to some mis-understanding, wordy quarrel and petty clash, and cases were registered involving the petitioners in all the Criminal Original Petitions.

5. It appears that all the parties have settled their dispute amicably, on the advise of the elders and well wishers. Both the petitioners and the de facto complainant have entered into a compromise and a joint compromise memo signed by the respective parties in the presence of the counsels have been produced before this Court. As per the joint compromise memo dated 26.06.2017, the second respondent viz., de facto complainant has no objection for quashing the criminal proceedings in Crime No.43 of 2016 pending on the file of the first respondent.

6. The parties except A1, A3, A4, A10, A18 and A22 are present before this Court and expressed in unequivocal terms that the Joint Compromise Memo signed by them was on their own 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. In view of the Compromise Memo signed by the parties, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, the Criminal Original petition is allowed and the proceedings in Crime No.43 of 2016 on the file of the first respondent is quashed in *toto*, on the basis of the compromise memo signed by the parties concerned before this Court and the Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

Encl: Xerox copy of Compromise memo

1.The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.

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

Trp

AE/KP/SAR3/14.09.2017/3P/3C

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21.08.2017