

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 21.08.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**CRL.O.P (MD) Nos.11015 & 11016 of 2017****CRL.O.P. (MD) No.11015 of 2017**

1. Ganesan
2. Chinnasamy
3. Rajini
4. Siva
5. Arumugam
6. Manikandan
7. Ayyappan
8. Annadurai
9. Veera
10. Imanuvel

... Petitioners/Accused Nos.1 to 10

Vs.

1. The State rep. by,
The Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.353 of 2014)

... Respondent/Complainant

2. T.Ponnusamy

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the First Information Report in Crime No.353 of 2014 on the file of the Inspector of Police, Samayanallur Police Station, Madurai District and to quash the same.

For Petitioner

: Mr.K.Ramanathan

For R-1

: Mr.K.Anbarasan,

Government Advocate (Crl.Side).

For R-2

: Mr.P.Maharajan

CRL.O.P. (MD) No.11016 of 2017

Ponnusamy

... Petitioner/Sole Accused

Vs.



1. The State rep. by,
The Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.354 of 2014)

... Respondent/Complainant

2. Ganesan

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the First Information Report in Crime No.354 of 2014 on the file of the Inspector of Police, Samayanallur Police Station, Madurai District and to quash the same.

For Petitioner : Mr.P.Maharajan
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).
For R-2 : Mr.K.Ramanathan

COMMON O R D E R

These Criminal Original petitions are filed for quashing the First Information Reports in Crime Nos.353 and 354 of 2014, on the file of the first respondent police.

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 respondents.

3. This is a case of case and counter. Crl.O.P.(MD)No.11015 of 2017 is filed by the petitioners who are accused Nos.1 to 10 in Crime No.353 of 2014. The first petitioner in Crl.O.P.(MD) No.11015 of 2017 is the defacto complainant in Crime No.354 of 2014 and the second respondent in Crl.O.P.(MD)No.11016 of 2017.

4. On the basis of the complaint preferred by the second respondent/defacto complainant in Crl.O.P.(MD)No.11015 of 2017, a case was registered by the first respondent police in Crime No.353 of 2014 for the offences under Sections 147, 148, 323, 324 and 506 (ii) I.P.C. Similarly, the first petitioner in Crl.O.P.(MD) No.11015 of 2017 preferred a complaint and a case was registered for similar offences as against the petitioner/sole accused in Crime No.354 of 2014.

5. Pursuant to the registration of the case, it appears that the petitioners and the defacto complainant/second respondent have settled their dispute amicably out of Court, at the instigation of the elders and well wishers in the village. The parties also have entered into a compromise. Joint Compromise Memos, dated



20.07.2017, signed by the petitioners and the second respondent/defacto complainant in the respective cases in the presence of their respective counsels is produced before this Court. As per the Joint Compromise Memos, the parties have expressed their willingness to compound the offence and the defacto complainants in both the cases have agreed for quashing the criminal complaint.

6. The parties in both the cases appeared before this Court and expressed in unequivocal terms that they have signed in the Joint 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 Joint Compromise Memo signed by the parties, the Criminal Original petitions in Crl.O.P.(MD)No.11015 of 2017 and Crl.O.P.(MD)No.11016 of 2017, are allowed and the First Information Report in Crime Nos.353 and 354 of 2014, on the file of the first respondent police are quashed in toto. The Joint Compromise Memo signed by the parties in both cases shall form part of the order.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

(Encl. Xerox copy of compromise memo)

1. The Inspector of Police,
Samayanallur Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL.O.P (MD) Nos.11015 & 11016 of 2017
21.08.2017