



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

CORAM

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

Crl.O.P.(MD) Nos.11104 and 11105 of 2017

- 1.Krishnasamy
- 2.Periyasamy
3. Raja
- 4.Muthuraj

... Petitioners in
Crl.O.P(MD).No.11104 of 2017 /A1 to A4

- 1.Robert
- 2.Selvaraj
- 3.Selvam
- 4.pitchaiah

... Petitioners in
Crl.O.P(MD).No.11105 of 2017 /A1 to A3

-Vs-**Crl.O.P.(MD) No.11104 of 2017**

1. State rep. by,
The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
(In Crime No.332 of 2017)

... 1st Respondent/Complainant

2. Selvaraj

... 2nd Respondent/Defacto
Complainant**Crl.O.P.(MD) No.11105 of 2017**

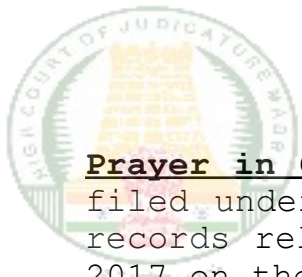
1. State rep. by,
The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
(In Crime No.331 of 2017)

... 1st Respondent/Complainant

2. Periyasamy

... 2nd Respondent/Defacto
Complainant

Prayer in Crl.O.P(MD).No.11104 of 2017 : Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records relating to the First Information Report in Crime No.332 of 2017 on the file of the first respondent police and quash the same.



Prayer in Crl.O.P(MD).No.11105 of 2017 : Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records relating to the First Information Report in Crime No.331 of 2017 on the file of the first respondent police and quash the same.

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For Petitioner : Mr.K.Suyambulinga Bharathy
in Crl.O.P(MD).No.11104/2017

For Petitioner : Mr.W. Xavier
in Crl.O.P(MD).No.11105/2017

For respondent No.1 : Mr.K.Anbarasan,
in both OP Government Advocate(Crl.side).

For Respondent No.2 : Mr.Anotny S.Prabahar
in Crl.O.P(MD).No.11104/2017

For Respondent No.2 : Mr.N.Ramesh Arumugam
in Crl.O.P(MD).No.1110452017

COMMON ORDER

This Criminal Original petition in Crl.O.P(MD).No.11104/2017 is filed to call for the records relating to the First Information Report in Crime No.332 of 2017 on the file of the first respondent police and quash the same.

This Criminal Original petition in Crl.O.P(MD).No.11105/2017 is filed to call for the records relating to the First Information Report in Crime No.331 of 2017 on the file of the first respondent police and quash the same.

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

3. The petitioners are accused nos. 1 to 4 in Crime No.332 of 2017 on the file of the respondent police. This is a case of case and counter. The de facto complainant viz., 2nd respondent in Crl.O.P(MD).No.11104 of 2017 (Crime No.332 of 2017) is the second accused / second petitioner in Crl.O.P(MD).No.11105 of 2017 in Crime No. 331 of 2017.

4. The case was registered on the basis of the complaint given by the second respondent in Crime No.332 of 2017 for the offences under Sections 294(b), 323 and 307 of IPC. Similarly, another Crime No.331 of 2017 was registered on the basis of the complaint given by 2nd petitioner in Crl.O.P(MD).No.11104 of 2017 for the offences under Sections 294(b), 320 and 307 of IPC.



4. It appears that petitioners in both the Criminal Original Petitions have settled their dispute amicably and entered into a compromise. The joint compromise memo dated 21.08.2017 which are filed separately in both the proceedings and the same have been signed by the parties in the presence of the respective counsels. As per the joint compromise memo, the de facto complainant in both the cases have agreed to withdraw the criminal case and further it is stated that the de facto complainant have no objection for withdrawing the criminal cases and to quash the proceedings.

5. The parties viz., both the petitioners and the de facto complainant in the respective cases appeared before this Court today 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 terms of the joint memo of compromise, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the criminal proceedings pending in Crime Nos.331 and 332 of 2017 on the file of the first respondent Police, is quashed in *toto*. The Joint Compromise Memos signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petitions are allowed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

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

+ 1 CC TO Mr.M.S.JEYAKARTHIK, ADVOCATE IN SR No. 74817
+ 1 CC TO Mr.ANTONY S.PRABAHAR, ADVOCATE IN SR No. 74072

TRP

TE/KK/SAR-II : 11/09/2017 : 3P/5C

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Cr1.O.P. (MD) Nos.11104 and 11105 of 2017
23.08.2017