



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDARCr1.O.P.(MD) Nos. 11179 and 11180 of 2017Cr1.O.P.(MD) No. 11179 of 2017

1.Maya Krishnan

2.Muthu Kumar

...Petitioners/Accused No.1 to 2

-Vs-

1.The State represented by,
The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District,
(In Crime No.570 of 2016)

...1st Respondent/Complainant

2.Ganesan

... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records pertaining to the case in Crime No.570 of 2016 on the file of the first respondent police and quash the same.

For Petitioner

:MrB.Jammel Arasu

For R-1

:Mr.K.Anbarasan,

Government Advocate (Cr1.side).

For R-2

:Mr.A.Joel Paul Antony

Cr1.O.P.(MD) Nos. 11180 of 2017

1.Muthukumar

2.Maya Krishnan

3.Ganesan @ Ganesh Kumar

...Petitioners/Accused No.1 to 3

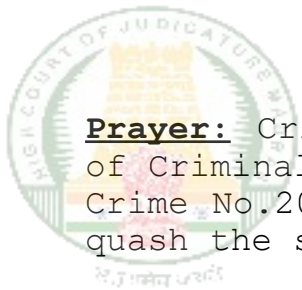
-Vs-

1.The State represented by,
The Inspector of Police,
Bazaar Police Station,
Ramanathapuram Town,
(In Crime No.205 of 2016)

...1st Respondent/Complainant

2.R.Vadivelan

... 2nd Respondent/De-facto Complainant



Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records pertaining to the case in Crime No.205 of 2016 on the file of the first respondent police and quash the same.

For Petitioners :Mr.B.Jameel Arasu
For R-1 :Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 :Mr.A.Joel Paul Antony

COMMON ORDER

The Criminal Original petition in Crl.OP(MD) No.11179 of 2017 has been to quash the case in Crime No.570 of 2016 on the file of the first respondent police and quash the same.

2.The Criminal Original petition in Crl.OP(MD) No.11180 of 2017 has been to quash the case in Crime No.205 of 2016 on the file of the first respondent police and quash the same.

3.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.

4.The petitioners in Crl.OP(MD) No.11179 of 2017 are the accused Nos.1 to 2 in Crime No.570 of 2016 and similarly the petitioners in Crl.OP(MD) No.11180 of 2017 are the accused Nos.1 to 3 in Crime No.205 of 2016. The third petitioner in Crl.OP(MD) No.11180 of 2017 is the de-facto complainant in Crl.OP(MD) No.11179 of 2017.

5.The complaint in Crime No.570 of 2016 was registered for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC, on the file of the respondent police. Similarly, the complaint in Crime No.205 of 2016 was registered for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC, on the file of the respondent police.

6.It appears that at the advise of the elders and friends, the petitioners and second respondent in both the cases have agreed to compromise the matter, out of Court. A Joint Compromise Memos, dated 21.07.2017, are also filed to that effect. As per the Joint Compromise Memos, the de-facto complainant, namely, the second respondent, in both cases, have given their consent to quash the entire proceedings in Crime Nos.570 and 205 of 2016.

7.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 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.

8.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 Memos signed by the parties, the de-facto complainant, namely, the second respondent in both cases have agreed to quash the proceedings in Crime Nos.570 and 205 of 2016. Hence the criminal proceedings in Crime Nos.570 and 205 of 2016, on the file of the first respondent, namely, the Inspector of Police, Bazaar Police Station, Ramathapuram Town, are quashed in *toto*. The Joint Compromise Memos signed by the parties shall form part of the order.

9.Accordingly, these Criminal Original petitions are allowed.

Sd/-

Assistant Registrar(Record)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Bazaar Police Station,
Ramanathapuram Town.

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

+2cc to Mr.B.JAMEEL ARASU Advocate in SR. No. 74874,74875
CMR
JS/KP/SAR.1/12.09.2017/3P-5C

Crl.O.P.(MD) Nos. 11179 and 11180 of 2017
24.08.2017