



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.08.2017
CORAM
THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

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Crl.O.P.(MD) Nos.11305 and 10837 of 2017

Crl.O.P.(MD) No.11305 of 2017:-

- 1.Parthippan
- 2.Mahendran
- 3.Boominathan
- 4.Balamurugan
- 5.Selvam
- 6.Venugopal
- 7.Loganathan
- 8.Dharmaraj
- 9.Murugesan
- 10.Chinnachamy
- 11.Siva

... Petitioners/ Accused Nos.1 to 11

-Vs-

1. The Deputy Superintendent of Police,
Nilakottai Sub Division,
Nilakottai,
Dindigul District.

2. The Inspector of Police,
Batlagundu Police Station,
Dindigul District.

(Crime No.479 of 2012)

... Respondents/Complainants

- 3.K.Palpandi

... 3rd Respondent/De-facto Complainant

- 4.M.Balamurugan

- 5.M.Marimuth

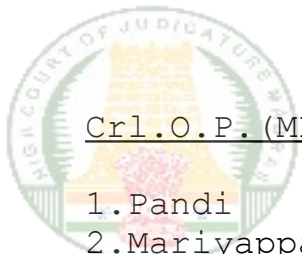
... 4th and 5th Respondents/Witnesses 2 & 3

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in P.R.C.No.39 of 2013 on the file of the Judicial Magistrate Court, Nilakottai, Dindigul District and quash the same as illegal.

For Petitioners :Mr.K.Chengizkhan

For R-1 & R-2 :Mr.K.Anbarasan,
Government Advocate (Crl.side)

<https://hcservices.ecourts.gov.in/hcservices> For R-3 to R-5 :Mr.K.Manikandan



Crl.O.P. (MD) No.10837 of 2017:-

1.Pandi
2.Mariyappan
3.Balu @ Balamurugan
4.Vadivel
5.Marimuthu
6.Perumal
7.Alagumalai
8.Baluchamy
9.Murugan
10.Alagar
11.Ramasamy ... Petitioners/ Accused Nos.1 to 11

-Vs-

1. the State represented by its
The Inspector of Police,
Batlagundu Police Station,
Dindigul District. ... 1st Respondent/Complainant

2.Seeniyammal ... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the P.R.C.No.19 of 2013 on the file of the learned Judicial Magistrate, Nilakkottai, Dindigul District and quash the same.

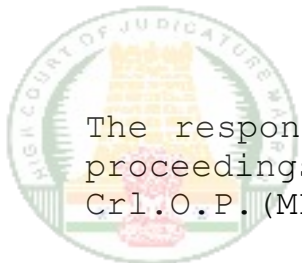
For Petitioners	:Mr.K.Manikandan
For R-1	:Mr.K.Anbarasan, Government Advocate(Crl.side)
For R-2	:Mr.S.Veluchamy

COMMON ORDER

The Criminal Original petition in Crl.O.P.(MD)No.11305 of 2017 has been filed to quash the records in P.R.C.No.39 of 2013 on the file of the Judicial Magistrate Court, Nilakottai, Dindigul District.

2.The Criminal Original petition in Crl.O.P.(MD) No.10837 of 2017 has been filed to quash the records in P.R.C.No.19 of 2013 on the file of the Judicial Magistrate Court, Nilakottai, Dindigul District.

3.The petitioners in Crl.O.P.(MD) No.11305 of 2017, are accused Nos.1 to 11 in Crime No.479 of 2012, registered for the offences punishable under Sections 147, 341, 294(b), 323, 324 and 506(ii) of I.P.C. and Section 3(1)(x) of SC/ST (Prevention of Atrocities) Act, 1989 and a charge sheet was filed and the same was registered. The petitioners have filed in P.R.C.No.39 of 2013 on the file of the learned Judicial Magistrate Court, Nilakottai, Dindigul District.



The respondents 4 and 5 are the injured witnesses in the criminal proceedings. The third respondent is the de-facto complainant in Crl.O.P.(MD) No.11305 of 2017.

4.The petitioners in Crl.O.P.(MD) No.10837 of 2017, are accused Nos.1 to 11 in Crime No.480 of 2012, registered for the offences punishable under Sections 147, 148 294(b), 336, 506(ii) and 307 of I.P.C. and a charge sheet was filed and the same was taken on file in P.R.C.No.19 of 2013 on the file of the learned Judicial Magistrate Court, Nilakottai, Dindigul District, for the offences punishable under Sections 147, 148, 294(b), 307, 506(ii) r/w 149 of IPC.

5.It appears that, after filing of the charge sheets, in both cases, the parties, namely, the petitioners in both cases and the respondents 3 to 5 in Crl.O.P.(MD) No.11305 of 2017 and the second respondent in Crl.O.P.(MD) No.10837 of 2017 have settled their dispute amicably out of Court and they also entered into a compromise. The parties have also signed Joint Compromise Memo, in both cases. The Joint Compromise memos, dated 11.08.2017 and 25.04.2017, respectively, are produced before this Court, by the parties concerned. The Joint Compromise Memo have been signed by the parties in the presence of their respective counsels. The de-facto complainants in both cases have agreed to withdraw the criminal cases in P.R.C.Nos.19 and 39 of 2013 on the file of the learned Judicial Magistrate, Nilakottai, and expressed that they have no objection for quashing the criminal complaints.

6.The parties namely, the petitioners in both cases and respondents 3 to 5 in Crl.O.P.(MD) No.11305 of 2017 and the second respondent in Crl.O.P.(MD) No.10837 of 2017 appear 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.

7.Since the parties have entered into compromise and agreed that the P.R.C.Nos.19 and 39 of 2013 on the file of the learned Judicial Magistrate, Nilakottai, may be quashed, this Court is of the view that no useful purpose will be served by keeping these matters pending. Hence, on the basis of the compromise memos signed by the parties, the P.R.C.Nos.19 and 39 of 2013 on the file of the learned Judicial Magistrate, Nilakottai, are quashed in toto and the Joint Compromise Memo signed by the parties and produced in both cases shall form part of the order.



7. Accordingly, these Criminal Original petitions are allowed.
Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

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To

1. The Deputy Superintendent of Police,
Nilakottai Sub Division,
Nilakottai, Dindigul District.
2. The Inspector of Police,
Batlagundu Police Station, Dindigul District.
3. The Judicial Magistrate,
Nilakottai, Dindigul.

+1cc to M/S.K.CHENGIZKHAN, Advocate SR.No.74491

ls/cmr

MAS/JC/SAR2:11.09.2017:4P-5C

Cr1.O.P.(MD) Nos.11305 and 10837 of 2017
24.08.2017