



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

CRL OP (MD) Nos.11424 & 11425 of 2017CRL.O.P.(MD)No.11424 of 2017

1. Chelladurai
2. Rajasekar

... Petitioners/Accused Nos.1 & 2

Vs.

1. The State rep. by,
The Inspector of Police,
Alagappapuram Police Station,
Sivagangai District.
(In Crime No.38 of 2017)

... Respondent /Complainant

2. Rajadurai

... 2nd Respondent/De-facto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for records in connection with the First Information Report in Crime No.38 of 2017 on the file of the respondent police and to quash the same as against the petitioners.

For Petitioners	: Mr.S.M.Sanjay
For R-1	: Mr.K.Anbarasan, Government Advocate (Crl.Side).
For R-2	: Mr.D.Palanikumar

CRL.O.P.(MD)No.11425 of 2017

1. Rajadurai
2. Lakshmanan
3. Kanagam

... Petitioners/Accused Nos.1 to 3

Vs.

1. The State rep. by,
The Inspector of Police,
Alagappapuram Police Station,
Sivagangai District.
(In Crime No.39 of 2017)

... Respondent /Complainant

... 2nd Respondent/De-facto
Complainant



PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for records in connection with the First Information Report in Crime No.39 of 2017 on the file of the respondent police and to quash the same as against the petitioners.

For Petitioners : Mr.D.Palanikumar
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).
For R-2 : Mr.S.M.Sanjay

C O M M O N O R D E R

These Criminal Original petitions are filed for quashing the First Information Reports in Crime Nos.38 and 39 of 2017 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 respondent.

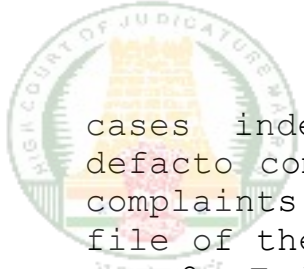
3.The petitioners in Crl.O.P.(MD)No.11424 of 2017 are the accused Nos.1 and 2 in Crime No.38 of 2017 on the file of the first respondent police. The petitioners in Crl.O.P.(MD)No.11425 of 2017 are the accused Nos.1 to 3 in Crime No.39 of 2017 on the file of the first respondent police.

4. The second respondent in Crl.O.P.(MD)No.11425 of 2017 is the daughter of the first accused in Crime No.38 of 2017 and the first petitioner in Crl.O.P.(MD)No.11424 of 2017. The defacto complainant in Crime No.38 of 2017 is the first accused in Crime No.39 of 2017 and the first petitioner in Crl.O.P.(MD)No.11425 of 2017.

5. This is a case of case and counter. The second respondent in Crl.O.P.(MD)No.11424 of 2017 lodged a complaint as against the petitioners in Crl.O.P.(MD)No.11424 of 2017 and the same was registered in Crime No.38 of 2017 for the offences under Sections 294(b), 324 and 506(ii) I.P.C.

6. On the basis of the complaint received from the second respondent in Crl.O.P.(MD)No.11425 of 2017, a case was registered as against the petitioners in Crl.O.P.(MD)No.11425 of 2017 in Crime No.39 of 2017 for the offences under Sections 323, 324, 498 (A) I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

7. It appears that the parties, namely, the petitioners and the second respondent in both the cases have settled their dispute amicably out of Court, on the advise of the family members and elders. The parties also have entered into a compromise. Separate Joint Compromise Memos, dated 28.08.2017, signed by the petitioners and the de-facto complainant in the presence of their respective counsels are produced before this Court in the above



cases independently. As per the Joint Compromise memos, the defacto complainant in both the cases have agreed to withdraw the complaints and for quashing the First Information Reports on the file of the first respondent police.

8. Today the parties, namely, the petitioners and the second respondent in both the cases appeared before this Court and expressed in unequivocal terms that they have signed 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.

9. 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 these matters pending. Hence, on the basis of the Joint Compromise Memos signed by the parties, the Criminal Original petitions are allowed and the First Information Reports in Crime Nos.38 and 39 of 2017 on the file of the first respondent police, are quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

Encl.: Xerox Copy of Compromise Memo

To

1. The Inspector of Police,
Alagappapuram Police Station,
Sivagangai District.
 2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- + 1 CC TO MR.S.N.Sanjay, ADVOCATE IN SR No.76824
+ 1 CC TO MR.S.N.Sanjay , ADVOCATE IN SR No.76823

pmu

MK/MR KKR/SAR-2/3P/5C/21.09.2017

CRL OP(MD)Nos.11424 & 11425 of 2017
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