



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

CRL.OP.(MD)Nos.11576 & 11577 of 2017

CRL.OP.(MD)No.11576 of 2017

1.Soundirapandian
2.Kottaiyan
3.Pandi
4.Raja
5.Jeeva @ Sivaraman
6.Kandhan @ Gurusamy
7.Sonai
8.Sathish
9.Karuppiah
10.Ranjith Kumar @ Murugan ...Petitioners/ Accused Nos.1 to 10
Vs.

1.The State represented by its,
The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District,
(Crime No.268 of 2015) ...1st Respondent/Complainant

2.Murugesan ...2nd Respondent/De-facto Complainant
3.Kuppathevan
4.Rajesh
5.Gunasekaran
6.Irulandi
7.Ganesan
8.Virumandi
9.Mokkaiyan @ Mekkairaj ...Respondents 3 to 9 /
Victims 1 to 7

PRAYER: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to quash the case in Crime No.268 of 2015, on the file of the 1st Respondent Police Station, by accepting the Joint compromise memo, dated 27.06.2017.

For Petitioners : Mr.K.Radhakrishnan
For 1st Respondent : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

For Respondents 3 to 9 : Mr.R.Gowrishankar

CRL.OP.(MD)No.11577 of 2017

<https://hcservices.ecourts.gov.in/hcservices/>

1.Kuppathevan



2.Rajesh
3.Gunasekaran
4.Irulandi
5.Ganesan
6.Virumandi

7.Mokkaiyan @ Mekkairaj

...Petitioners/Accused No.1 to 7

Vs.

1.The State represented by its,
The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District,
(Crime No.269 of 2015)

...1st Respondent/Complainant

2.Murugesan

...2nd Respondent/De-facto Complainant

3.Soundirapandian

4.Kottaiyan

5.Pandi

6.Raja

7.Jeeva @ Sivaraman

8.Kandhan @ Gurusamy

9.Sonai

10.Sathish

11.Karuppiyah

12.Ranjith Kumar @ Murugan

...Respondents 3 to 12 /Victims

PRAYER: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to quash the case in Crime No.269 of 2015, on the file of the 1st Respondent Police Station, by accepting the Joint compromise memo, dated 27.06.2017.

For Petitioners	: Mr.R.Gowrishankar
For R-1	: Mr.K.Anbarasan
	Govt. Advocate(Crl.Side)
For R-3 to R-12	: Mr.K.Radhakrishnan

C O M M O N O R D E R

These Criminal Original Petitions have been filed to quash the case in Crime Nos. 268 and 269 of 2015, pending on the file of the first respondent police Station, respectively.

2. It is the case in counter. The petitioners in Crl.O.P.(MD). No.11576 of 2017 are the victims, in Cr.No. 269 of 2015 which is the subject matter of Crl.OP.(MD)No.11577 of 2017. Similarly, the petitioners in Crl.O.P.(MD)No.11577 of 2017 are the victims in Cr.No.268 of 2015.

<https://hcservices.courtsgov.in/hcservices/> 3. It is observed that the parties, namely, the petitioners and the respondents 3 to 9, in Crl.OP.(MD)No.11576 of 2017 as well as the



petitioners and the respondents 3 to 12 in CrI.OP.(MD)No.11577 of 2017 have independently entered into a compromise memo.

4.It is stated that the parties have earlier settled their dispute out of Court. It is stated that the de-facto complainant, in both cases, is the Village Administrative Officer of SathanKudi Village and that the Crime numbers were registered pursuant to the dispute between two groups during the temple festival. The parties have signed the joint compromise memo in the presence of their respective counsels in both cases. As per the joint compromise memo, dated 27.06.2017, the victims in both Criminal Original petitions have no objection for quashing the criminal complaint in both the matters.

5.Except, tenth petitioner in CrI.O.P.(MD)No.11576 of 2017 and the second petitioner in CrI.O.P.(MD)No.11577 of 2017, all other parties, namely, the petitioners in both Criminal Original Petitions as well as the victims in both criminal cases are present today before this Court and expressed that they have entered into a compromise memo on their own will and free volition. In the compromise memo, dated 27.06.2017, the counsels representing the de-facto complainant as well as the petitioners have signed. The identity of the parties are verified with reference to the authenticated documents produced before this Court by the parties concerned. The identity of the parties are also confirmed by the learned Government Advocate (CrI.Side) through the respondent/Police.

6. The de-facto complainant has stated in the compromise memo that he is not willing to prosecute Criminal Case registered against the Petitioners any further and that he has decided to withdraw the Complaint.

7.In view of the above, this Court is of the view that no useful or fruitful purpose will be served in keeping this petition pending. Hence, in the circumstances stated above, this Court is inclined to quash the FIRs registered against the Petitioners on the basis of the Joint Compromise Memo, dated 27.06.2017, filed by the both parties.

8. Accordingly, this Criminal Original Petition is allowed and the FIRs in Crime Nos. 268 & 269 of 2015, pending on the file of the first respondent police is quashed in toto. The Joint compromise memo, dated 27.06.2017 shall form part and parcel of this order.

Sd/-

Assistant Registrar(CS-II)



To

Joint compromise memo xerox copies are enclosed

1.The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.

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

Das/rm

MAS/KK/SAR1:25.09.2017:3P-3C

ORDER MADE IN
CRL.OP.(MD)Nos.11576 & 11577 of 2017(3/3)