



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2017

CORAM

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THE HONOURABLE MR. JUSTICE S.S.SUNDARCrl.O.P.(MD) Nos. 12412 and 12492 of 2017Crl.O.P.(MD) No. 12412 of 2017

- 1.Nagarajan
- 2.Ulaganathan
- 3.Malaimurugan
- 4.Dinakaran
- 5.Chinnappa
- 6.Prabhu @ Vijayaragavan
- 7.Ravi
- 8.Ganesan
- 9.Mani

...Petitioners/Accused No.2 to 10

-Vs-

- 1.The State represented by,
The Inspector of Police,
Paramakkudi Town Police Station,
Ramanathapuram District,
(In Crime No.497 of 2016)

...1st Respondent/Complainant

- 2.Suba T.Divakaran

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the record, relating to the FIR in Crime No.497 of 2012 on the file of the 1st respondent police and quash the same insofar as the petitioners are concerned.

For Petitioners	:Mr.M.S.Jeyakarthik
For R-1	:Mr.K.Anbarasan, Government Advocate (Crl.side).
For R-2	:Mr.K.Sanjai Gandhi

Crl.O.P.(MD) Nos. 12492 of 2017

- 1.Suba.Thangavelan
- 2.Sub.T.Sambath
- 3.Sub.Thivakaran
- 4.Muthuramalingam, S/o.Thavani Thevar
- 5.Muthuramalingam, S/.Karuppana Thevar
- 6.T.Thilagar
- 7.M.M.Ambalam
- 8.V.Pandi



9.Ahamed Thambi
10.Veluchamy
11.Inba @ Ragu
12.Vallarsu @ Valanarasu
13.Shanmuganathan
14.Nagarathinam
15.Ramesh

...Petitioners/Accused No.1 to 15

-Vs-

1.The State represented by,
The Inspector of Police,
Aruppukottai Town Police Station,
Ramnad Town,
(In Crime No.881 of 2012)

...1st Respondent/Complainant

2.Rajkumar

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the impugned charge sheet in P.R.C.No.12 of 2014 on the file of the Judicial Magistrate Court, Aruppukottai, Virudhunagar District and quash the same.

For Petitioners :Mr.K.Sanjai Gandhi
For R-1 :Mr.K.Anbarasan,
Government Advocate (Crl.side).
For R-2 :Mr.M.S.Jeyakarthik

COMMON ORDER

The Criminal Original Petition in Crl.O.P(MD) No.11412 of 2017 has been filed to quash the FIR in Crime No.497 of 2012 on the file of the 1st respondent police, insofar as the petitioners are concerned.

2.The Criminal Original Petition in Crl.O.P(MD)No.12492 of 2017 has been filed to quash the impugned charge sheet in P.R.C.No.12 of 2014 on the file of the learned Judicial Magistrate Court, Aruppukottai, Virudhunagar District.

3.The petitioners in Crl.O.P(MD) No.12412 of 2017 are accused Nos.2 to 10 in Crime No.497 of 2012 and similarly the petitioners in Crl.O.P(MD) No.12492 of 2017 are the accused Nos.1 to 15 in Crime No.881 of 2012. The third petitioner in Crl.O.P(MD) No.12492 of 2017 is the de-facto complainant in Crime No.497 of 2012 and second respondent in Crl.O.P.(MD) No.12412 of 2017. Both complaints were registered and pending before the respective respondent police in the criminal original petitions.

4.On the basis of the complaint given by the second respondent in Crl.O.P.(MD) No.11412 of 2017, a case of registered in Crime No.497 of 2012 for the offences punishable under Sections 147, 294



(b), 323, 506(i) IPC and Section 3 of TNPPDL Act.

5. Similarly, the complaint in Crime No.881 of 2012 was registered for the offences punishable under Sections 147, 148, 294 (b), 323, 324 IPC, Section 3 of TNPPDL Act and Section 3(1)(x) of SC/ST (POA) Act, on the file of the respondent police. After filing the charge sheet, the case was taken on file by the learned Judicial Magistrate, Aruppukottai in P.R.C.No.12 of 2014.

6. It appears that on the advise of elders and well wishers, the petitioners and the second respondent in both cases have agreed to compromise the matter, out of Court. A Joint Compromise Memos, signed by both parties in the presence of their respective counsel, are also produced before this Court. 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 No. 497 of 2012 and P.R.C.No.12 of 2014, insofar as the petitioners concerned.

7. The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own 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.

8. Having regard to the compromise between the parties, this Court is of the view that no useful purpose will be served by keeping these matters pending. Hence the First Information Report in Crime No.497 of 2012, on the file of the the Inspector of Police, Paramakudi Town Police Station, Ramanathapuram District and charge sheet in P.R.C.No.12 of 2014 on the file of the learned Judicial Magistrate, Aruppukottai are quashed insofar as the petitioners are concerned. 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(CS-II)

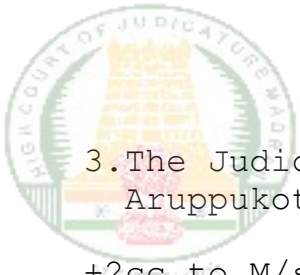
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Sub Assistant Registrar

To

1. The Inspector of Police,
Paramakkudi Town Police Station,
Ramanathapuram District.

2. The Inspector of Police,
Aruppukottai Town Police Station,
Ramanathapuram District.



3.The Judicial Magistrate,
Aruppukottai.

+2cc to M/s.M.S.JEYAKARTHIK Advocate in SR. No. 80257,80260

+1cc to Mr.K.SANJAI GANDHI Advocate in SR. No. 80072

CMR

JS/KP/SAR.1/23.10.2017/4P-7C

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