



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2017

CORAM

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THE HON'BLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) Nos. 12416 and 12417 of 2017Crl.O.P.(MD) No. 12416 of 2017

- 1.Anbarasan
- 2.Arunpandiyan
- 3.Sundarraaj
- 4.Kannan
- 5.Kannan
- 6.Muthaiah
- 7.Manivannan

... Petitioners/Accused No.1 to 7

-Vs-

1. The State represented by,
The Inspector of Police,
Poovanthi Police Station,
Madurai District.
(In Crime No.43 of 2016) ...1st Respondent/Complainant

- 2.Selvam ... 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 FIR in Crime No.43 of 2016 on the file of the 1st respondent police and quash the same.

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

Crl.O.P.(MD) Nos. 12417 of 2017

- 1.Balaji
 - 2.Selvam
 - 3.Arumbu
- ...Petitioners/Accused No.1 to 3

-Vs-



1. The State represented by,
The Inspector of Police,
Poovanthi Police Station,
Madurai District,

(In Crime No.42 of 2016) ...1st Respondent/Complainant

2.Kannan

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records relating to the FIR in Crime No.42 of 2016 on the file of the first respondent police and quash the same.

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

COMMON ORDER

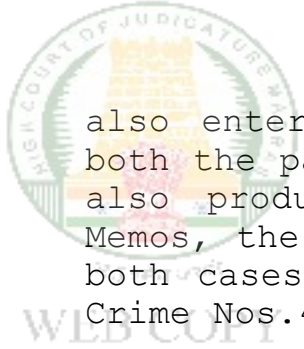
The Criminal Original Petition in Crl.OP(MD) No.12416 of 2017 has been to quash the records relating to the FIR in Crime No.43 of 2016 on the file of the 1st respondent police.

2.The Criminal Original Petition in Crl.OP(MD) No.12417 of 2017 has been to quash the recording relating to the FIR in Crime No.42 of 2016 on the file of the first respondent police and quash the same.

3.The petitioners in Crl.O.P(MD) No.12416 of 2017 are the accused Nos.1 to 3 in Crime No.43 of 2016 and the fifth petitioner is the de-facto complainant in Crime No.42 of 2016 and similarly the petitioners in Crl.O.P(MD) No.12417 of 2017 are the accused Nos.1 to 3 in Crime No.42 of 2016 and the second petitioner is the de-facto complainant in Crime No.43 of 2016.

4.The complaint in Crime No.43 of 2016 was registered, based on the complaint received from the second respondent in Crl.O.P. (MD) No.12416 of 2016, for the offences punishable under Sections 147, 148, 294(b), 342, 323, 324 and 506(ii) IPC, on the file of the respondent police. Similarly, the complaint in Crime No.42 of 2016 was registered, based on the complaint received from the second respondent in Crl.O.P.(MD) No.12417 of 2017 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 341, 307, 379 (NH) IPC, on the file of the respondent police.

<https://hcservices.courtsof.gov.in/app/cases> that on the advise of the relatives and well wishers, the petitioners and second respondent in both the cases have settled their dispute amicably out of Court and they have



also entered into compromise. Joint Compromise Memos, signed by both the 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 agreed to quash the First Information Report in Crime Nos.42 and 43 of 2016.

6.The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memos on their own will and free 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.

7.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 the First Information Report in Crime Nos.42 and 43 of 2016, on the file of the first respondent, namely, the Inspector of Police, Poovanthi Police Station, Madurai District, are quashed in toto. The Joint Compromise Memos signed by the parties shall form part of the order.

8. Accordingly, these Criminal Original petitions are allowed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

To

1.The Inspector of Police,
Poovanthi Police Station,
Madurai District.

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

+One cc to M/s.S.Sankar, Advocate, SR.No.80046
+One cc to Mr.S.Sivaprakash, Advocate, SR.No.80047

cmr

RL/5C/3P/KK/SAR1/11/10/2017