

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 22.09.2017

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THE HON'BLE MR.JUSTICE S.S.SUNDAR**Crl.O.P.(MD) Nos.12555 and 12612 of 2017**

1.A. Praveen @ Praveen Kumar

2.V. Senthilkumar

... Petitioners / Accused in
Crl.O.P(MD).No.12555 of 2017

A.Manikandan

... Petitioner / sole accused
Crl.O.P(MD).No.12612 of 2017

-Vs-

1. The State through
The Inspector of Police,
Woraiyur Police Station,
Trichy City(Crime Nos.1087 and 1088 of 2017) ... 1st Respondent in both
Crl.O.Ps.

A.Manikandan

... 2nd respondent in
Crl.O.P(MD).No.12555 of 2017

A. Praveen @ Praveenkumar

... 2nd Respondent in
Crl.O.P(MD).No.12612 of 2017

Prayer in both Crl.O.Ps.: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records pertaining to the case in Crime Nos.1088 and 1087 of 2017 pending on the file of the first respondent police and quash the same.

For Petitioner : Mr.A. Bharathiraja
in Crl.O.P(MD).No.12555 of 2017
Mr.I. Sabeer Mohamed
in Crl.O.P(MD).No.12612 of 2017

For R-1 : Mr.C. Ramesh
Additional Public Prosecutor
in both O.Ps.



For R-2

: Mr.S. Barathiraja
in CrI.O.P(MD).No.12612 of 2017

Mr.I. Sabeer Mohamed
in CrI.O.P(MD).No.12555 of 2017

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C O M M O N O R D E R

These Criminal Original petitions are filed to call for the entire records pertaining to the case in Crime Nos.1088 and 1087 of 2017 pending on the file of the first respondent police and quash the same.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent in both the Criminal Original Petitions.

3. The petitioners in CrI.O.P(MD).No.12555 of 2017 are the accused nos. 1 and 2 in Crime No.1088 of 2017. The petitioner in CrI.O.P(MD).No.12612 of 2017 is the sole accused in Crime No.1087 of 2017. The 2nd respondent, de facto complainant in Crime No.1088 of 2017 is the accused in Crime No.1087 of 2017. Similarly, the 2nd respondent, de facto complainant in Crime No.1087 of 2017 is the first accused in Crime No. 1088 of 2017. This is a case of case and counter.

4. Both the cases were registered for the offences under Sections 294(b), 323 and 506(i) of IPC on the file of the first respondent police.

5. It appears that parties viz., petitioners and the de facto complainant in both the cases have settled their dispute amicably out of Court, at the instigation of the elders and well wishers. Both the petitioners and the de facto complainant have entered into a compromise and a joint compromise memo signed by the respective parties in the presence of their respective counsels have been produced before this Court. As per the joint compromise memo dated 13.09.2017, the second respondent viz., de facto complainant in the both the cases have no objection for quashing the criminal proceedings in Crime Nos.1087 and 1088 of 2017 pending on the file of the first respondent.

6. The parties are present before this Court and expressed in unequivocal terms that the Joint Compromise Memos signed by them were on their own will and volition. The identity of the parties are verified with reference to the authenticated documents <https://hcservices.mca.gov.in/hcservices/> parties before this Court. The identity of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent police.



7. In view of the Compromise Memos signed by the parties, this Court is of the view that no useful purpose will be served by keeping these matters pending. Hence, the Criminal Original petitions are allowed and the proceedings in Crime Nos.1087 and 1088 of 2017 on the file of the first respondent are quashed in toto, on the basis of the compromise memos signed by the parties concerned before this Court and the Joint Compromise Memos signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

(Encl. Xerox copy of compromise memo)

1. The Inspector of Police,
Woraiyur Police Station,
Trichy City
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD) Nos.12555 and 12612 of 2017 and
Crl.M.P(MD).Nos.8464 and 8460 of 2017
22.09.2017

trp

SDS/SV:MMS/SAR 1/06.10.2017/3P/3C