



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) Nos.12604 and 12607 of 2017

1.Ajithkumar
2.Praveen
3.Vinothkumar
4.Subramanian
5.Manikandan
6.Rajeshkumar
7.Paramasivam

... Petitioners / Accused in
Crl.O.P(MD).No.12604 of 2017

1.Surya
2.Prithiviraj
3.Suresh

... Petitioners / accused
Crl.O.P(MD).No.12607 of 2017

-Vs-

1.The State rep. by its
The Inspector of Police,
Thermal Nagar Police Station,
Thoothukudi District.
(Crime Nos.102 and 103 of 2017)

... 1st Respondent in both
Crl.O.Ps.

Paramasivam

... 2nd respondent in
Crl.O.P(MD).No.12607 of 2017

Surya

... 2nd Respondent in
Crl.O.P(MD).No.12604 of 2017

Prayer in both Crl.O.Ps.: Criminal Original petitions are filed under Section 482 of Code of Criminal Procedure, to call for entire records pertaining to the case in Crime Nos.102 and 103 of 2017 pending on the file of the first respondent police and quash the same.

For Petitioner : Mr.K.Suyambulinga Bharathy
in Crl.O.P(MD).No.12604 of 2017
For R2 in Crl.O.P(MD).No.12607 of 2017

For Petitioner : Mr.N.Ramesh Arumugam
in Crl.O.P(MD).No.12607 of 2017
For R2 in Crl.O.P(MD)NO.12604 of 2017



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

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.102 and 103 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.

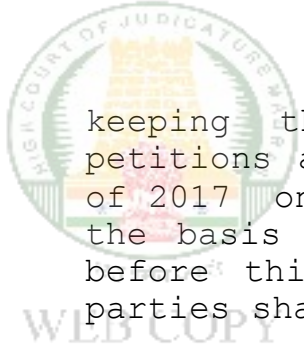
3. The petitioners in CrI.O.P(MD).No.12604 of 2017 are the accused nos. 1 to 7 in Crime No.102 of 2017. The petitioners in CrI.O.P(MD).No.12607 of 2017 are the accused nos.1 to 3 Crime No.103 of 2017. The 2nd respondent, de facto complainant in Crime No.103 of 2017 is the accused no.7 in Crime No.102 of 2017. Similarly, the 2nd respondent, de facto complainant in Crime No.102 of 2017 is the first accused in Crime No. 103 of 2017. This is a case of case and counter.

4. The case in Crime No.102 of 2017 is registered for the offences under Sections 147, 294(b), 323 and 506(i) of IPC and the case is Crime No.103 of 2017 registered for the offences under Sections 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 19.09.2017, the second respondent viz., de facto complainant in the both the cases have no objection for quashing the criminal proceedings in Crime Nos.102 and 103 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 produced by the 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.102 and 103 of 2017 on the file of the first respondent are quashed in *toto*, on the basis of the compromise memo 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-III)

/True Copy/

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Thermal Nagar Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

TRP

JS/SKN.RSK/SAR.1/9.10.2017/3P-3C

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