



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2017

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THE HON'BLE MR.JUSTICE S.S.SUNDAR

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Cr1.O.P.(MD) Nos. 13661 and 13662 of 2017

Cr1.O.P.(MD) No. 13661 of 2017:

1.Divan Mohamad Jameel ... 1st Petitioner / Accused No.1
2.Aravind ... 2nd Petitioner / Accused No.2

-Vs-

1. The Sub-Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
(Crime No.99 of 2017) ... 1st Respondent / Complainant
2. Mohamad Asraf Ali ... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records pertaining to the above FIR in Crime No.99 of 2017 on the file of the Aviyur Police Station, Virudhunagar District and quash the same.

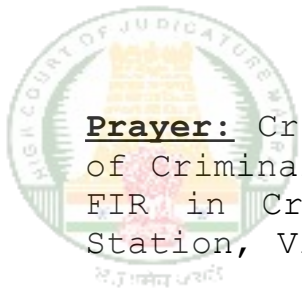
For Petitioners : Mr.M.Senthil Ayyanar
For R-1 : Mr.K.S.Durai Pandian
Additional Public Prosecutor
For R-2 : Mr.M.Baskaran

Cr1.O.P.(MD) Nos. 13662 of 2017

1.Abdul Kadar Ibrahim ...1st Petitioners/Accused No.1
2.Mohamad Asraf Ali ...2nd Petitioner /Accused No.2

-Vs-

1. The Sub-Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
(Crime No.98 of 2017) ...1st Respondent/Complainant
2. Divan Mohamad Jameel ... 2nd Respondent/De-facto
Complainant



Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records pertaining to the above FIR in Crime No.98 of 2017 on the file of the Aviyur Police Station, Virudhunagar District and quash the same.

WEB COPY

For Petitioners : Mr.M.Baskaran
For R-1 : Mr.K.S.Durai Pandian
Additional Public Prosecutor
For R-2 : Mr.Mr.M.Senthil Ayyanar

COMMON ORDER

The Criminal Original Petition in Crl.O.P(MD) No.13661 of 2017 has been field to quash the First Information Report in Crime No.99 of 2017 on the file of the first respondent police.

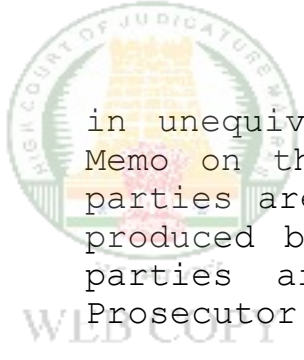
2.The Criminal Original Petition in Crl.O.P(MD) No.13662 of 2017 has been field to quash the First Information Report in Crime No.98 of 2017 on the file of the first respondent police.

3.The petitioners in Crl.O.P(MD) No.13661 of 2017 are the accused Nos.1 and 2 in Crime No.99 of 2017 and similarly the petitioners in Crl.O.P(MD) No.13662 of 2017 are the accused Nos.1 and 2 in Crime No.98 of 2017. It is the case of case and case in counter. The first petitioner in Crl.O.P(MD) No.13661 of 2017 is the de-facto complainant in Crl.O.P(MD) No.13662 of 2017. The second petitioner in Crl.O.P(MD) No.13662 of 2017 is the de-facto complainant in Crl.O.P.(MD)No.13661 of 2017.

4.The second respondent in Crl.O.P.(MD)No.13661 of 2017, lodged a complaint and the same was registered in Crime No.99 of 2017 for the offences punishable under Sections 341, 324 and 506 (2) IPC, on the file of the respondent police. Similarly, The second respondent in Crl.O.P.(MD)No.13662 of 2017, lodged a complaint and the same was registered in Crime No.98 of 2017 for the offences punishable under Sections 341, 324 and 506(2) IPC, on the file of the respondent police.

5.It appears that on the advise of the elders and friends, the petitioners and the second respondent in both the cases have settled their dispute amicably out of Court and they have also entered into a compromise and the Joint Compromise Memo, signed by the petitioners and the second respondent in the respective cases, are independently filed before this Court. As per the Joint Compromise Memos, the de-facto complainant, namely, the second respondent, in both cases, have agreed to withdraw the complaint and for quashing the First Information Reports in Cr.No.98 and 99 of 2017 on the file of the respondent police.

5.Today, the parties appeared before this Court and expressed



in unequivocal terms that they have signed the Joint Compromise Memo on their own free 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.

6. 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 Reports in Crime Nos. 98 and 99 of 2017, on the file of the first respondent, namely, the Sub-Inspector of Police, Aviyur Police Station, Virudhunagar District are quashed in toto. The Joint Compromise Memos signed by the parties shall form part of the order.

7. Accordingly, these Criminal Original petitions are allowed.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

Encl.: Xerox Copy of Joint Compromise Memo.

To

1. The Sub-Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
 2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- + 1 CC TO MR.M.Senthil Ayyanar, ADVOCATE IN SR No.82177
+ 1 CC TO MR.M.Baskaran, ADVOCATE IN SR No.82178
CMR
MK/KK/SAR-3/25.10.2017/3P/5C

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