



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.10.2017
CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

WEB COPY

Crl.O.P.(MD) Nos. 13972 and 13973 of 2017

Crl.O.P.(MD) No. 13972 of 2017

1.Asina Beevi
2.Seeni Ibrahim
3.Sydha Baanu
4.Sayabu Nisha ...Petitioners/Accused No.1 to 4

-Vs-

1. The State represented by,
The Inspector of Police,
Silaiman Police Station,
Madurai District.
(In Crime No.527 of 2017) ...1st Respondent/Complainant

2.Seeni Sikkandhar ... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records of First Information Report in Crime No.527 of 2017 on the file of the Respondent No.1 Police Station and quash the same.

For Petitioner : Mr.S.Sheik Hussain

For R-1 : Mr.K.S.Duraipandian
Additional Public Prosecutor

For R-2 : Mr.S.M.A.Jinnah

Crl.O.P.(MD) Nos. 13973 of 2017

1.Seeni Sikkandar
2.Abdul Kadhar
3.Yasin Sameem ...Petitioners/Accused No.1 to 3

-Vs-

1. The State represented by,
The Inspector of Police,
Silaiman Police Station,
Madurai District.
(In Crime No.528 of 2017) ...1st Respondent/Complainant



2.Asina Beevi

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records of First Information Report in Crime No.528 of 2017 on the file of the Respondent No.1 Police Station and quash the same.

For Petitioners : Mr.S.M.A.Jinnah
For R-1 : Mr.K.S.Duraipandian
Additional Public Prosecutor
For R-2 : Mr.S.Sheik Hussain

COMMON ORDER

The Criminal Original Petition in Crl.O.P(MD) No.13972 of 2017 has been filed to quash the records in Crime No.527 of 2017 on the file of the first respondent police.

2.The Criminal Original Petition in Crl.O.P(MD) No.13973 of 2017 has been filed to quash the records in Crime No.528 of 2017 on the file of the first respondent police.

3.The petitioners in Crl.O.P(MD) No.13972 of 2017 are the accused Nos.1 to 4 in Crime No.527 of 2017, which was registered for the alleged offences under Sections 294(b), 355 and 506(i) IPC, on the file of the first respondent police. Similarly, the petitioners in Crl.O.P(MD) No.13973 of 2017 are the accused Nos.1 to 3 in Crime No.528 of 2017, which was registered for the alleged offences under Sections 294(b), 323, 354 and 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act-2002, on the file of the first respondent police.

4.The first petitioner in Crl.O.P.(MD)No.13972 of 2017 is the de-facto complainant in Crime No.528 of 2017. The first petitioner in Crl.O.P.(MD)No.13973 of 2017 is the de-facto complainant in Crime No.527 of 2017. Having regard to the nature of allegations made in both the complaints and the other facts found in the petitions, it can be seen that the petitioners in both cases are relatives and it is the case of case and case in counter.

5.It appears that on the advise of elders and friends, the petitioners and second respondent in both the cases have agreed to compromise the matter, out of Court. Independent Joint Compromise Memo, 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 complaints / First Information Reports in Crime Nos.527 and 528 of 2017.

6.The petitioners as well as the de-facto complainant, in both cases, appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo 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 Additional Public Prosecutor 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 criminal proceedings in Crime Nos.527 and 528 of 2017, on the file of the first respondent police, namely, the Inspector of Police, Silaiman 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(CS-III)

/True Copy/

Sub Assistant Registrar

To

Encl: Xerox copy of Compromise memo
The Inspector of Police,
Silaiman Police Station,
Madurai District.

+ 2 ccs TO Mr.S.M.A.Jinnah , Advocate in SR No. 83258 ,83256

cmr

AE/KP/SAR1/03.11.2017/3P/4C

Cr1.O.P.(MD) Nos. 13972 and 13973 of 2017
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