



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.10.2017
CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

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Cr1.O.P.(MD) Nos. 14056 and 14078 of 2017

Cr1.O.P.(MD) No. 14056 of 2017

1.Rajendiran
2.Dharmar

... Petitioners/Accused Nos.2 and 3

-Vs-

1. The State represented by,
The Inspector of Police,
Eriodu Police Station,
Eriodu, Dindigul District.
(In Crime No.205 of 2017)

... 1st Respondent/Complainant

2. Murugan

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records connected with the case in Crime No.205 of 2017 on the file of the first respondent and quash the same as against the petitioners.

For Petitioner	: Mr.R.Alagumani
For R-1	: Mr.K.S.Duraipandian Additional Public Prosecutor
For R-2	: Mr.B.Dhanasekaran

Cr1.O.P.(MD) Nos. 14078 of 2017

1.Dharmar
2.Pushpam

... Petitioner/Accused Nos.2 to 3

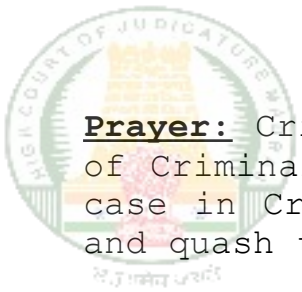
-Vs-

1. The State represented by,
The Inspector of Police,
Eriodu Police Station,
Eriodu, Dindigul District.
(In Crime No.206 of 2017)

... 1st Respondent/Complainant

2.Priya

... 2nd Respondent/De-facto
Complainant



Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records connected with the case in Crime No.206 of 2017 on the file of the first respondent and quash the same as illegal as against the petitioners.

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For Petitioner : Mr.R.Alagumani
For R-1 : Mr.K.S.Duraipandian
Additional Public Prosecutor
For R-2 : Mr.B.Dhanasekaran

COMMON ORDER

The Criminal Original Petition in Crl.O.P(MD) No.14056 of 2017 has been filed to quash the records in Crime No.205 of 2017, on the file of the first respondent police, as against the petitioners.

2.The Criminal Original Petition in Crl.O.P(MD) No.14078 of 2017 has been filed to quash the records in Crime No.206 of 2017, on the file of the first respondent police, as against the petitioners.

3.The petitioners in Crl.O.P(MD) No.14056 of 2017 are the accused Nos.2 and 5 in Crime No.205 of 2017. The said criminal complaint was registered, based on the complaint of the second respondent, for the alleged offences under Sections 294(b), 394 and 307 IPC, on the file of the first respondent police. Similarly, the petitioners in Crl.O.P(MD) No.14078 of 2017 are the accused Nos.2 and 3 in Crime No.206 of 2017. The said complaint was registered, based on the complaint of the second respondent, for the alleged offences under Sections 294(b), 323 and 506(i) IPC, on the file of the first respondent police. In both cases, the de-facto complainant are husband and wife and the petitioners are none else than the brothers of de-facto complaint / second respondent in Crl.O.P.(MD)No.14056 of 2016.

4.It appears that on the advise of elders and well wishers, the petitioners and the second respondent in both the cases have agreed to compromise the matter, out of Court. Independent Joint Compromise Memo, in both cases, 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 entire proceedings in Crime Nos.205 and 206 of 2017.

5.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 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 criminal proceedings in Crime Nos. 205 and 206 of 2017, on the file of the first respondent police, namely, the Inspector of Police, Eriodu Police Station, Eriodu, Dindigul District, are quashed in so far as the petitioners in the respective cases. 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 (AE)

/True copy/

Sub Assistant Registrar

Encl.: Xerox Copy of compromise memo

To

1. The Inspector of Police,
Eriodu Police Station,
Eriodu, Dindigul District.
2. The additional public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO MR.R.Alagumani, ADVOCATE IN SR No.83606

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cmr

MK/MR KKR/SAR-3/06.11.2017/3P/5C

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