



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2017

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

Crl.O.P.(MD) Nos. 14435 and 14436 of 2017

Crl.O.P.(MD) No. 14435 of 2017

1.Ragupathi
2.Sathish
3.Sasi
4.Jeyakumar

...Petitioners/Accused Nos.1 to 4

-Vs-

1.The State represented by,
The Inspector of Police,
Valliyoore Police Station,
Tirunelveli District.

(In Crime No.294 of 2017) ...1st Respondent/Complainant

2.Parathesi

... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the First Information Report in Crime No.294 of 2017 on the file of the respondent No.1 and quash the same.

For Petitioner:Mr.R.Venkatesan

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

For R-2 :Mrs.D.Depamathi

Crl.O.P.(MD) Nos. 14436 of 2017

1.Mahesh
2.Mathu Mohan
3.Manikandan
4.Ganesh

...Petitioner/Accused Nos.1 to 4

-Vs-

1.The State represented by,
The Inspector of Police,
Valliyoore Police Station,



Tirunelveli District.

(In Crime No.295 of 2017) ...1st Respondent/Complainant

2.Isairagupathy

... 2nd Respondent/De-facto Complainant

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Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the First Information Report in Crime No.295 of 2017 on the file of the respondent No.1 and quash the same.

For Petitioner:Mrs.D.Depamathi

For R-1 :Mr.K.S.Duraipandian

Additional Public Prosecutor

For R-2 :Mr.R.Venkatesan

COMMON ORDER

The Criminal Original Petition in CrI.O.P(MD) No.14435 of 2017 has been filed to quash the records in Crime No.294 of 2017, on the file of the first respondent police.

2.The Criminal Original Petition in CrI.O.P(MD) No.14436 of 2017 has been filed to quash the records in Crime No.295 of 2017, on the file of the first respondent police

3.The petitioners in CrI.O.P(MD) No.14435 of 2017 are the accused Nos.1 to 4 in Crime No.294 of 2017. Based on the complaint lodged by the second respondent, a case was registered in Crime No.294 of 2017 for the alleged offences under Sections 294(b), 323 and 506(i) IPC, on the file of the first respondent police. Similarly, the petitioners in CrI.O.P(MD) No.14436 of 2017 are the accused Nos.1 to 4 in Crime No.295 of 2017. The second respondent given a complaint as against the petitioners and the same was registered by the first respondent for the alleged offences under Sections 294(b), 324 and 506(ii) IPC r/w 3(1)(r), 3(1)(s), 3(1)(v) and 3(1)(a) of SC/ST(POA) Act-2015. This is the case of case and case in counter.

4.It appears that the parties in both cases have settled their dispute amicably out of Court. They have also entered into a compromise and Joint Compromise Memos, dated 06.10.2017, signed by both parties, in the presence of their respective counsel, are also produced before this Court. As per the Joint Compromise Memos, the parties have stated that they have resolved the disputes amicably in the presence of elders in the village and the de-facto complainant, namely, the second respondent, in both cases, have given their consent to quash the First Information Report in Crime Nos.294 and 295 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 First Information Report in Crime Nos.294 and 295 of 2017, on the file of the first respondent police, namely, the Inspector of Police, Valliyoor Police Station, Tirunelveli 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(Records)

/True Copy/

Sub Assistant Registrar

To

Encl:Xerox copy of Compromise memo

The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.

+1cc to M/S.R.VENKATESAN, Advocate SR.No.84030
+1cc to M/S.D.DEEPAMATHI, Advocate SR.No.84301

cmr
MAS/SV-MMS/SAR2:06.11.2017:3P-4C

Cr1.O.P.(MD) Nos. 14435 and 14436 of 2017
27.10.2017