



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) Nos.14513 & 14765 of 2017

CRL.O.P.(MD) No.14513 of 2017

1. Prathap
2. Prabhu
3. Prasad

... Petitioners/Accused Nos.1 to 3

Vs.

1. The State represented by,
The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.
(Crime No.573 of 2017)

... 1st Respondent /Complainant

2. Vijay Anand

... 2nd Respondent/De-facto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for records pertaining to the above First Information Report in Crime No.573 of 2017 on the file of the first respondent herein and to quash the same.

For Petitioners : Mr.S.Sathya Chidambaram

For R-1 : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

For R-2 : Mr.B.Santhanam Rajeshkumar

CRL.O.P.(MD) No.14765 of 2017

1. Vijay Anandan
2. Arun Kumar
3. Karthi
4. Moorthy
5. Kalayarasan
6. Ramesh

... Petitioners/Accused Nos.1 to 6



Vs.

1. The State by,
The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.
(Crime No.572 of 2017)

... 1st Respondent /Complainant

2. Prathap

... 2nd Respondent/De-facto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for records pertaining to the above First Information Report in Crime No.572 of 2017 on the file of the first respondent herein and to quash the same.

For Petitioners : Mr.B.Santhanam Rajeshkumar

For R-1 : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

For R-2 : Mr.S.Sathya Chidambaram

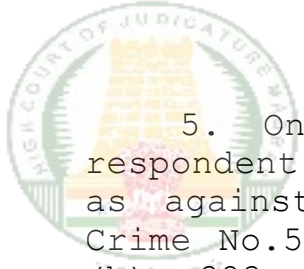
C O M M O N O R D E R

Criminal Original petition in CrI.O.P.(MD)No.14513 of 2017 is filed for quashing the First Information Report in Crime No.573 of 2017 on the file of the first respondent herein.

2. Criminal Original petition in CrI.O.P.(MD)No.14765 of 2017 is filed for quashing the First Information Report in Crime No.572 of 2017 on the file of the first respondent herein.

3. 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.

4. The petitioners in CrI.O.P.(MD)No.14513 of 2017 are accused Nos.1 to 3 in Crime No.573 of 2017. The petitioners in CrI.O.P.(MD) No.14765 of 2017 are accused Nos.1 to 6 in Crime No.572 of 2017. The first petitioner in CrI.O.P.(MD)No.14513 of 2017 and the first accused in Crime No.573 of 2017 is the defacto complainant in Crime No.572 of 2017 and the second respondent in CrI.O.P.(MD) No.14765 of 2017. The first petitioner in CrI.O.P.(MD)No.14765 of 2017 is the second respondent in CrI.O.P.(MD)No.14513 of 2017 and the defacto complainant in Crime No.573 of 2017. This is a case of case and counter.



5. On the basis of the complaint lodged by the second respondent in CrI.O.P.(MD)No.14513 of 2017, a case was registered as against the petitioners in CrI.O.P.(MD)No.14513 of 2017 in Crime No.573 of 2017 for the alleged offences under Sections 294 (b), 323, 324, and 506(ii) of I.P.C. Similarly, on the basis of the complaint lodged by the second respondent in CrI.O.P.(MD) No.14765 of 2017, a case was registered as against the petitioners in CrI.O.P.(MD)No.14765 of 2017, in Crime No.572 of 2017 for the alleged offences under Sections 147, 148, 294(b), 323, 324 and 506 (ii) of I.P.C.

6. It appears that the parties, namely, the petitioners and the second respondent in both cases have settled their dispute amicably out of Court, at the intervention of the elders and relatives. The parties also have entered into a compromise. Joint Compromise Memos, dated 24.10.2017, signed by the petitioners and the de-facto complainant in both cases in the presence of their respective counsels are produced before this Court. As per the Joint Compromise memos, the defacto complainants in both cases have agreed to quash the First Information Reports in Crime Nos.572 and 573 of 2017 on the file of the first respondent.

7. The parties, namely, the petitioners and the second respondent in both the cases appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memos 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.

8. 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, on the basis of the Joint Compromise Memos signed by the parties, the Criminal Original petitions are allowed and the First Information Reports in Crime Nos.572 and 573 of 2017 on the file of the first respondent, are quashed in *toto*. The Joint Compromise Memos signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CrI side)

/True Copy/

Sub Assistant Registrar

To

Encl: Xerox copy of compromise memo

1. The Inspector of Police,

<https://hcservices.mca.gov.in/hcservices/>
 Police Station,
 Trichy District.



2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc TO Mr.S.Sathiya Chidambaram , Advocate in SR No. 85831
+1 cc TO Mr.B.Santhanam Rajeshkumar , Advocate in SR No. 85830

pmu

AE/JC/SAR2/22.11.2017/4P/5C

CRL OP (MD) Nos.14513 & 14765 of 2017
06.11.2017