



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2017

CORAM :

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

CRL OP (MD) Nos.14571 &amp; 14572 of 2017

WEB COPY

CRL.O.P.(MD)No.14571 of 2017

1. Maharaja
2. Raja Resav Maideen
3. Sevakumar

... Petitioners/Accused  
Nos.1 to 3

Vs.

1. The State represented by,  
The Inspector of Police,  
Puliangudi Police Station,  
Tirunelveli District.  
(Crime No.84 of 2016)

... Respondent /Complainant

2. Rajadurai

... 2<sup>nd</sup> Respondent/  
De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for records in connection with First Information Report in Crime No.84 of 2016 on the file of the respondent police and to quash the same as against the petitioners.

For Petitioners  
For R-1

: Mr.B.Mohammed Idrish  
: Mr.A.Ramar,  
Additional Public Prosecutor.

For R-2

: Mr.S.Lingarasu

\*\*\*

CRL.O.P.(MD)No.14572 of 2017

1. Rajadurai
2. Prasanth
3. Mohan
4. Pasupathi
5. Mahesh
6. Suresh

... Petitioners/Accused  
Nos.1 to 6

Vs.

1. The State represented by,  
The Inspector of Police,  
Puliangudi Police Station,  
Tirunelveli District.  
(Crime No.81 of 2016)

... Respondent /Complainant



2. Maharajan

... 2<sup>nd</sup> Respondent/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for records in connection with First Information Report in Crime No.81 of 2016 on the file of the respondent police and to quash the same as against the petitioners.

For Petitioners : Mr.S.Lingarasu  
For R-1 : Mr.A.Ramar,  
Additional Public Prosecutor.  
For R-2 : Mr.B.Mohammed Idrish

\*\*\*

C O M M O N O R D E R

Criminal Original petition in Crl.O.P.(MD)No.14571 of 2017 is filed for quashing the First Information Report in Crime No.84 of 2016 on the file of the first respondent police as against the petitioners.

2. Criminal Original petition in Crl.O.P.(MD)No.14572 of 2017 is filed for quashing the First Information Report in Crime No.81 of 2016 on the file of the first respondent police as against the petitioners.

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 Crl.O.P.(MD)No.14571 of 2017 are accused Nos.1 to 3 in Crime No.84 of 2016. Similarly, the petitioners in Crl.O.P.(MD)No.14572 of 2017 are accused Nos.1 to 6 in Crime No.81 of 2016. The first petitioner in Crl.O.P.(MD)No.14571 of 2017 and the first accused in Crime No.84 of 2016 is the defacto complainant in Crime No.81 of 2016 and the second respondent in Crl.O.P.(MD) No.14572 of 2017. The first petitioner in Crl.O.P.(MD)No.14572 of 2017 is the second respondent in Crl.O.P.(MD)No.14571 of 2017 and the defacto complainant in Crime No.84 of 2016. Hence, it is a case of case and counter.

5. On the basis of the complaint lodged by the second respondent in Crl.O.P.(MD)No.14571 of 2017, a case was registered as against the petitioners in Crl.O.P.(MD)No.14571 of 2017 in Crime No.84 of 2016 for the alleged offences under Sections 323 and 324 of I.P.C. Similarly, on the basis of the complaint lodged by the second respondent in Crl.O.P.(MD)No.14572 of 2017, a case was registered as against the petitioners in Crl.O.P.(MD)No.14572 of 2017, in Crime No.81 of 2016 for the alleged offences under

Sections 147, 294(b), 341, 323 and 324 of I.P.C.

6. After registration of the criminal complaints, 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 in the village. The parties also have entered into a compromise. Joint Compromise Memos 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 parties have agreed for quashing the First Information Reports in Crime Nos.81 and 84 of 2016 on the file of the first respondent police.

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.81 and 84 of 2016 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 (CS-II)

/True copy/

Sub Assistant Registrar

ENCL:Xerox Copy of Joint Compromise Memo.

To

1. The Inspector of Police,  
Puliangudi Police Station,  
Tirunelveli District.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD)Nos.14571 & 14572 of 2017  
15.11.2017