



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) Nos.15235 & 15236 of 2017

WEB COPY

CRL.O.P.(MD)No.15235 of 2017

1. H.Jegan

2. J.Usha ... Petitioners/Accused Nos.1 and 2

Vs.

1. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
(Crime No.116 of 2017)

... 1st Respondent /Complainant

2. A.Azhagesan

... 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 First Information Report in Crime No.116 of 2017 for the offences under Sections 294(b), 324, 379 and 506(ii) of I.P.C., dated 05.03.2017 on the file of the first respondent and to quash the same.

For Petitioners	: Mr.M.Arjunvarman
For R-1	: Mr.A.Ramar, Additional Public Prosecutor.
For R-2	: Mr.T.Lajapathi Roy

CRL.O.P.(MD)No.15236 of 2017

A.Azhagesan ... Petitioner/Sole Accused

Vs.

1. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
(Crime No.114 of 2017)

... 1st Respondent /Complainant

2. H.Jegan

... 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 First Information Report in Crime No.114 of 2017 for the offences under Sections 452, 294(b), 324 and 506(ii) of I.P.C., dated 05.03.2017 on the file of the first respondent and to quash the same.



For Petitioner
For R-1
For R-2

: Mr.T.Lajapathi Roy
: Mr.A.Ramar,
Additional Public Prosecutor.
: Mr.M.Arjunvarman

C O M M O N O R D E R

Criminal Original petition in CrI.O.P.(MD)No.15235 of 2017 is filed for quashing the First Information Report in Crime No.116 of 2017 for the offences under Sections 294(b), 324, 379 and 506(ii) of I.P.C., dated 05.03.2017 on the file of the first respondent.

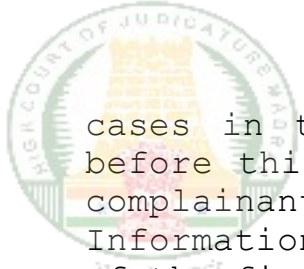
2. Criminal Original petition in CrI.O.P.(MD)No.15236 of 2017 is filed for quashing the First Information Report in Crime No.114 of 2017 for the offences under Sections 452, 294(b), 324 and 506(ii) of I.P.C., dated 03.03.2017 on the file of the first respondent.

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.15235 of 2017 are accused Nos.1 and 2 in Crime No.116 of 2017. The petitioner in CrI.O.P.(MD) No.15236 of 2017 is the sole accused in Crime No.114 of 2017. The first petitioner in CrI.O.P.(MD)No.15235 of 2017 and the first accused in Crime No.116 of 2017 is the defacto complainant in Crime No.114 of 2017 and the second respondent in CrI.O.P.(MD) No.15236 of 2017. The petitioner in CrI.O.P.(MD)No.15236 of 2017 is the second respondent in CrI.O.P.(MD)No.15235 of 2017 and the defacto complainant in Crime No.116 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.15235 of 2017, a case was registered as against the petitioners in CrI.O.P.(MD)No.15235 of 2017 in Crime No.116 of 2017 for the alleged offences under Sections 294 (b), 324, 379 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.15236 of 2017, a case was registered as against the petitioner in CrI.O.P.(MD)No.15236 of 2017, in Crime No.114 of 2017 for the alleged offences under Sections 452, 294(b), 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



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.114 and 116 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 Report in Crime Nos.114 and 116 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

/True Copy/

Sub Assistant Registrar

To

Enclosure : Joint Compromise Memos dated 29.10.2017 & 28.10.2017

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

+1cc to M/S.M.Arjunvarman, Advocate SR.No. 86157
+1cc to M/S.T.Lajapathi Roy, Advocate SR.No. 86158

CRL OP(MD)Nos.15235 & 15236 of 2017
09.11.2017

pmu
JM/SKN RSK/SAR 1/10.11.2017/3P/5C