



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

CRL OP (MD) Nos.15757 & 15758 of 2017

CRL.O.P. (MD) No.15757 of 2017

Pandi ... Petitioner/Sole Accused
Vs.

1. The State represented by,
The Inspector of Police,
Checkanoorani Police Station,
Madurai District.
(Crime No.137 of 2016) ... 1st Respondent /Complainant

2. Punithalakshmi ... 2nd Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the impugned First Information Report in Crime No.137 of 2016, dated 20.03.2016 on the file of the first respondent police and to quash the same as illegal.

For Petitioner : Mr.A.Ananda Raj
For R-1 : Mr.A.Ramar,
Additional Public Prosecutor.
For R-2 : Mr.R.Shankar Ganesh

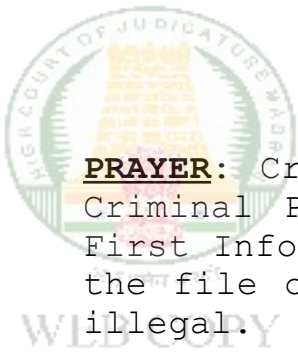
CRL.O.P. (MD) No.15758 of 2017

1. Manavaraja
2. Oorkavalan
3. Pandi ... Petitioners/Accused Nos.1 to 3
Vs.

1. The State represented by,
The Inspector of Police,
Checkanoorani Police Station,
Madurai District.
(Crime No.138 of 2016) ... 1st Respondent /Complainant

<https://hcservices.ecourts.gov.in/hcservices/>
2. Pandi, S/O.Moogan

... 2nd 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.138 of 2016, on 20.03.2016 on the file of the first respondent police and to quash the same as illegal.

For Petitioners	: Mr.R.Shankar Ganesh
For R-1	: Mr.A.Ramar,
	Additional Public Prosecutor.
For R-2	: Mr.A.Ananda Raj

C O M M O N O R D E R

Criminal Original petition in Crl.O.P.(MD)No.15757 of 2017 is filed for quashing the First Information Report in Crime No.137 of 2016, dated 20.03.2016 on the file of the first respondent police.

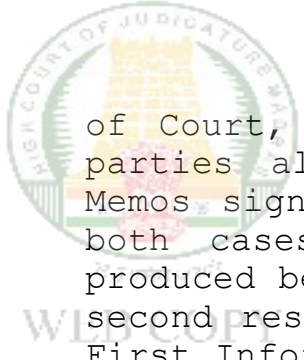
2. Criminal Original petition in Crl.O.P.(MD)No.15758 of 2017 is filed for quashing the First Information Report in Crime No.138 of 2016 , dated 20.03.2016 on the file of the first respondent police.

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 petitioner in Crl.O.P.(MD)No.15757 of 2017 is the sole accused in Crime No.137 of 2016. Similarly, the petitioners in Crl.O.P.(MD)No.15758 of 2017 are accused Nos.1 to 3 in Crime No.138 of 2016. The petitioner in Crl.O.P.(MD)No.15757 of 2017 is the second respondent in Crl.O.P.(MD)No.15758 of 2017 and the defacto complainant in Crime No.138 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.15757 of 2017, a case was registered as against the petitioner in Crl.O.P.(MD)No.15757 of 2017 in Crime No.137 of 2016, on 20.03.2016 for the alleged offences under Sections 294(b), 323,354 and 506(ii) of I.P.C. r/w Section 4 of T.N.P.H.W. Act. Similarly, on the basis of the complaint lodged by the second respondent in Crl.O.P.(MD)No.15758 of 2017, a case was registered as against the petitioners in Crl.O.P.(MD)No.15758 of 2017, in Crime No.138 of 2016, on 20.03.2016 for the alleged offences under Sections 294(b) and 506(i) of I.P.C.

6. After registration of the criminal complaints, it appears <https://hservices.ecourts.gov.in/hservices/> 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 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 second respondent in both the cases have agreed for quashing the First Information Reports in Crime Nos.137 and 138 of 2016 pending before 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.137 and 138 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-I)

/True copy/

Sub Assistant Registrar

Encl: Xerox Copy of Compromise Memo.

To

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

+1cc to Mr.R.SHANKAR GANESH, Advocate, SR.88155

CRL OP (MD) Nos.15757 & 15758 of 2017
16.11.2017

PMU