



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD) No.16805 and 16806 of 2017

Crl.O.P.(MD)No.16805 of 2017

1. Viji @ Vijay Vengatesh
2. Pandi @ Pandiyaraj
3. Ajith
4. Mani @ Manikandan ... Petitioners/ Accused 1 to 4

Vs

1. The Inspector of Police,
Karaikudi South Police Station,
Karaikudi Taluk,
Sivagangai District.
(Crime No.188 of 2017) ... 1st Respondent / Complainant

2. S. Rajalingam ... 2nd Respondent / De-facto
Complainant

PRAYER : Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to FIR in Crime No.188 of 2017 dated 24.08.2017, on the file of the Inspector of Police, Karaikudi South Police Station, Sivagangai District and quash the same as against the petitioners.

For Petitioner : Mr.K. Srinivasaragavan

For R1 : Mr.K.S.Duraipandian
Additional Public Prosecutor

For R2 : Mr.M.Senthil Kumar

Crl.O.P.(MD)No.16806 of 2017

1. Arun
2. Vivek
3. Ramakrishnan
4. Kottai @ Prithiviraj
5. Kalish @ Shivaramaselvan
6. S. Senthil Kumar ... Petitioners/ Accused No.1 to 6



1. The Inspector of Police,
Karaikudi North Police Station,
Karaikudi Taluk,
Sivagangai District.

(In Crime No.511 of 2017)

...1st Respondent / Complainant

2. V.Ashok Kumar

...2nd Respondent /
De-facto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to FIR in Crime No.511 of 2017 dated 25.08.2017, on the file of the Inspector of Police, Karaikudi North Police Station, Sivagangai District and quash the same as against the petitioners.

For Petitioner : Mr. M. Senthilkumar

For R1 : Mr.K.S.Duraipandian
Additional Public Prosecutor

For R2 :Mr.K.Srinivasaragavan

COMMON ORDER

These Criminal Original Petitions have been filed to call for the records in First Information Report in Crime No.188 of 2017 dated 24.08.2017 and Crime No.511 of 2017 dated 25.08.2017 on the file of the Inspector of Police, Karaikudi South Police Station and Karaikudi North Police Station, Sivagangai District respectively and quash the same as against the petitioners in both the petitions.

2.Heard the learned Counsels appearing for the petitioners, the learned Additional Public Prosecutor appearing for the first respondent and the learned Counsels appearing for the second respondent in both the petitions.

3.The petitioners in CrI.O.P.(MD)No.16805 of 2017 are accused Nos. 1 to 4 in Crime No.188 of 2017. The petitioners in CrI.O.P. (MD)No.16806 of 2017 are accused Nos. 1 to 6 in Crime No.511 of 2017 on the file of the first respondent police. Based on the complaint lodged by the second respondent in CrI.O.P.(MD)No.16805 of 2017, the case was registered in Crime No.188 of 2017 for the alleged offences u/s 147, 148, 294(b), 341, 323, 324 and 506(ii) IPC.

<https://hcservices.courts.gv.in/services/> on the basis of the complaint lodged by the second respondent in CrI.O.P.(MD)No.16806 of 2017, the case was registered in Crime No.511 of 2017 as against the petitioners for



the alleged offences under section 147, 148, 341, 294(b), 324 and 506(2) of IPC. The case was registered in Crime Nos.188 of 2017 and 511 of 2017 are related and this is case a case of case and counter.

5. It is appears that the parties have settled their dispute amicably out of Court. The petitioners in both Criminal Original Petitions and the second respondent in both the cases said to have entered into a compromise and a Joint Compromise Memo dated 23.10.2017, signed by the petitioners and the second respondent in the presence of their respective counsels and produced before the court. In the Joint Compromise Memo, the second respondent in both the cases have agreed to compromise the matter and quash the First Information Report in both the crimes.

6. Today, the parties 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.

7. In view of 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 Crime Nos.188 of 2017 and 511 of 2017 on the file of the Inspector of Police, Karaikudi South Police Station and North Police Station, Sivagangai District respectively is quashed in *toto*. The Joint Compromise Memos signed by the parties shall form part of the order.

8. Accordingly, these Criminal Original Petitions are allowed.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

ENCL:Xerox Copy of Compromise Memo
To

1. The Inspector of Police,
Karaikudi South Police Station,
Karaikudi Taluk,
Sivagangai District.

2. The Inspector of Police,
Karaikudi North Police Station,
Karaikudi Taluk,
Sivagangai District.



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

+2cc to Mr.K.SRINIVSARAGAVAN, Advocate, SR. 91512, 91513

CRL.O.P. (MD) No.16805 and
16806 of 2017
07.12.2017

vsg/pnn
KK/SV MMS/SAR 4/02.01.2017/ 4P- 6C/