



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) Nos. 17390 and 17468 of 2017Crl.O.P.(MD) No. 17390 of 2017

- 1.Janri @ Johnrion
- 2.Vinoth @ Antony Vinoth Vimal
- 3.Chandran @ Backiadass
- 4.Britto

...Petitioners/Accused No.1 to 4

-Vs-

- 1.The State represented by,
The Inspector of Police,
Kodaikanal Police Station,
Dindigul District,
(In Crime No.302 of 2014)

...1st Respondent/Complainant

- 2.Lourdu @ J.S.Lourdu
- ... 2
- nd
- Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to Cr.No. 302 of 2014 pending on the file of the first respondent and quash the same.

For Petitioner	: Mr.J.William Christopher
For R-1	: Mr.K.S.Duraipandian
	Additional Public Prosecutor.
For R-2	: Mr.S.Jeyakumar

Crl.O.P.(MD) Nos. 17468 of 2017

- 1.Lourdu @ J.S.Lourdu
- 2.Micheal @ J.S.Micheal
- 3.Pradeep
- 4.Prasanth
- 5.Devakumar
- 6.Leeju

...Petitioners/Accused No.1 to 6

-Vs-

1. The State represented by,
The Inspector of Police,
Kodaikanal Police Station,
Dindigul District,
(In Crime No.303 of 2014)

...1st Respondent/Complainant



2.Vinoth @ Antony Vinoth Vimal ... 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 Cr.No. 303 of 2014 pending on the file of the first respondent and quash the same.

For Petitioners : M/S.K.Balamurugan
For R-1 : Mr.K.S.Duraipandian
Additional Public Prosecutor.
For R-2 : Mr.K.Pal Murugan

COMMON ORDER

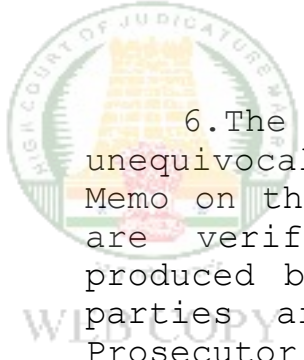
The Criminal Original Petition in Crl.O.P(MD) No.17390 of 2017 has been filed to call for the records relating to Cr.No. 302 of 2014 pending on the file of the first respondent and quash the same.

2.The Criminal Original Petition in Crl.O.P(MD) No.17468 of 2017 has been filed to call for the records relating to Cr.No.303 of 2014 pending on the file of the first respondent and quash the same.

3.The petitioners in Crl.O.P(MD) No.17390 of 2017 are the accused Nos.1 to 4 in Crime No.302 of 2014 and similarly the petitioners in Crl.O.P.(MD)No.17468 of 2017 are the accused Nos.1 to 6 in Crime No.303 of 2014. The second petitioner in Crl.O.P (MD)No.17390 of 2017 is the de-facto complainant in Cr.No.303 of 2014. The first petitioner in Crl.O.P.(MD)No.17468 of 2017 is the de-facto complainant in Cr.No.302 of 2014.

4.The complaint in Crime No.302 of 2014 was registered for the offences punishable under Sections 294(b), 341, 323, 324 and 506 (i) of IPC r/w Section 3(1) of TNPPDL Act, 1992 on the file of the respondent police. Similarly, the complaint in Crime No.303 of 2014 was registered for the offences punishable under Sections 147, 294(b), 323 and 506(i) of IPC, on the file of the respondent police.

5.It appears that on the advise of the elders and relatives, the petitioners and second respondent in both the cases have agreed to compromise the matter, out of Court and they have also entered into compromise. Joint Compromise Memos, dated 06.12.2017, are also filed to that effect. As per the Joint Compromise Memos, the de-facto complainant, namely, the second respondent, in both cases, have no objection to quash the entire proceedings in Crime Nos.302 and 303 of 2014, on the file of the first respondent.



6.The parties appeared before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memo on their own 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.Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful or fruitful purpose will be served by keeping these matters pending. Hence, the criminal case in Crime Nos.302 and 303 of 2014, on the file of the first respondent, namely, the Inspector of Police, Kodaikanal Police Station, Dindigul District, are 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(CO)

/True Copy/

Sub Assistant Registrar

To

Enclosure : The Joint Compromise Memos (Xerox Copy)

1.The Inspector of Police,
Kodaikanal Police Station,
Dindigul District

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

+1cc to M/S.J.William Christopher, Advocate SR.No. 93907
+1cc to M/S.K.Balamurugan, Advocate SR.No. 93908

Crl.O.P.(MD) Nos. 17390 and 17468 of 2017
20.12.2017

cmr

JM/SV MMS/SAR 1/01.02.2018/3P/5C