



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.03.2017
CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
CRL.O.P. (MD) Nos.1967 and 1968 of 2017

WEB COPY

CRL.O.P. (MD) No.1967 of 2017:

1. Mohamed Abbas
2. Awrangaship
3. Thasthagir
4. Ansair
5. Buhari
6. Mohamed Ithiris

: Petitioners

Vs.

1. State represented through
The Inspector of Police,
Vaalinnokkam Police Station,
Ramanathapuram District.
Cr.No.60 of 2011.

2. Ahamedappa

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to record the compromise reached between the petitioners/accused and the second respondent/defacto complainant and call for the records in C.C.No.74 of 2013 in connection with Crime No.60 of 2011 on the file of the first respondent and quash the same as against the petitioners.

For Petitioners : Mr.H.Velavadas

For Respondent No.1 : Mr.K.Anbarasan

Government Advocate (Crl.side)

For Respondent No.2 : Mr.B.Senthil Kumar

CRL.O.P. (MD) No.1968 of 2017:

1. Ejaj Ahamed
2. Imthivas
3. Nivas
4. Ahamed Kabir

: Petitioners

Vs.

1. State represented through
The Inspector of Police,
Vaalinnokkam Police Station,
Ramanathapuram District.
Cr.No.61 of 2011.

2. Thasthagir

: Respondents

file of

For Respondent No.2 : Mr.H.Velavadhas

COMMON ORDER

CRL.O.P. (MD) No.1967 of 2017:

On the complaint lodged by the second respondent-the first respondent registered a case in Crime No.60 of 2011 and after completing the investigation, has filed a final report in C.C.No.74 of 2013, before the learned Judicial Magistrate, Muthukulathoor, for offences under Sections 147, 148, 323, 324 and 506(ii) of the Indian Penal Code against eight accused, out of which, six accused are before this Court, for quashing the prosecution on the ground that they have arrived at a compromise.

CRL.O.P. (MD) No.1968 of 2017:

This is the counter case. On the complaint lodged by the second respondent, the first respondent registered a case in Crime No.61 of 2011 and after and after completing the investigation, has filed a final report in C.C.No.54 of 2012, before the learned Judicial Magistrate, Muthukulathoor, for offences under Sections 341, 147, 148, 323, 324 and 506(ii) of the Indian Penal Code against seven accused, challenging which, four accused are before this Court for quashing the prosecution on the ground that they have arrived at a compromise.

2. Today, when the matter was taken up for hearing, Mr.T.Muniasamy, Special Sub-Inspector of Police, Vaalinokkam Police Station, Ramanathapuram District, is present in Court. The defacto complainant in both the cases and the petitioners/accused in both the cases are present. Their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Criminal side) through Mr.T.Muniasamy, Special Sub-Inspector of Police, Vaalinokkam Police Station, Ramanathapuram District.

3. They have filed an individual compromise memo in each case signed by the respective accused and the defacto complainant, wherein they have stated that on the intervention of elders in the Village, they have arrived at a compromise, so as to amicably settle all the disputes.



4. In view of the above, these petitions are allowed and the prosecution in C.C.Nos.74 of 2013 and 54 of 2012 pending on the file of the learned Judicial Magistrate, Muthukulathoor, respectively, is quashed as against all the accused including those who are not before this Court. The joint compromise memo in both the petitions shall form part of this order. However, the petitioners in both the petitions are directed to pay a sum of Rs.500/- (Rupees Five Hundred only) **each**, to the Rojavanam Homeless & Aged Care Centre, Melur Road, Uthangudi, Madurai, within a period of two weeks from today.

5. Post the matter on 06.04.2017 "for reporting compliance".

Sd/-

Assistant Registrar(C)

/True Copy/

Sub Assistant Registrar

To

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

Copy to

- 1.The Rojavanam Homeless and Aged Care Centre,
Melur Road,
Uthangudi,
Madurai.
- 2.THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Common Order made in
CRL.O.P. (MD) Nos.1967 and 1968 of 2017
Dated:- 16.03.2017

SML

MS/CM-MSA-SAR 3/24.03.2017/3P-5C