



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2017

CORAM :

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**THE HONOURABLE MR.JUSTICE S.S.SUNDAR**CRL.O.P. (MD) Nos.20676 to 20678 of 2016 and  
CRL.M.P. (MD) Nos.10502 to 10507 of 2016**CRL.O.P. (MD) No.20676 of 2016:**

Thangavelu

(Amended as per order of this Court made in

Crl.M.P. (MD) No.11818 of 2016, dated 01.12.2016)

... Petitioner/Sole Accused

**Vs.**

1. The State represented by,  
The Inspector of Police,  
Sankarankovil Town Police Station,  
Tirunelveli District.  
(Crime No.138 of 2015)

2. K.Balamurugan ... Respondents/Complainants

**PRAYER:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for records in connection with the case in C.C.No.143 of 2015 pending on the file of the learned Judicial Magistrate, Sankarankovil and to quash the same.

|                |                                                           |
|----------------|-----------------------------------------------------------|
| For Petitioner | : M/s.T.Kalaiselvi                                        |
| For R-1        | : Mr.K.S.Durai Pandiyan,<br>Additional Public Prosecutor. |
| For R-2        | : Mr.A.Ilayaraja                                          |

**CRL.O.P. (MD) No.20677 of 2016:**

Thangavelu

(Amended as per order of this Court made in

Crl.M.P. (MD) No.11817 of 2016, dated 01.12.2016)

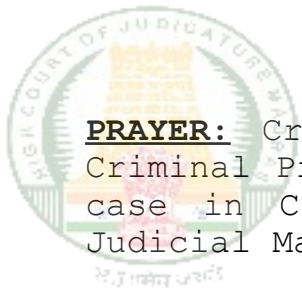
... Petitioner/Sole Accused

**Vs.**

1. The State represented by,  
The Inspector of Police,  
Sankarankovil Town Police Station,  
Tirunelveli District.  
(Crime No.136 of 2015)

<https://hcservices.courts.gov.in/hcservices>

2. M.Navaz Khan ... Respondents/Complainant



**PRAYER:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for records in connection with the case in C.C.No.142 of 2015 pending on the file of the learned Judicial Magistrate, Sankarankovil and to quash the same.

For Petitioner : M/s.T.Kalaiselvi  
For R-1 : Mr.K.S.Durai Pandiyan,  
Additional Public Prosecutor.  
For R-2 : M/s.S.Bharathi

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**CRL.O.P. (MD)No.20678 of 2016:-**

Thangavelu

(Amended as per order of this Court made in

Crl.M.P. (MD)No.11816 of 2016, dated 01.12.2016)

... Petitioner/Sole Accused

**Vs.**

1. The State represented by,  
The Inspector of Police,  
Sankarankovil Town Police Station,  
Tirunelveli District.  
(Crime No.139 of 2015)

2. M.Navaz Khan

... Respondents/Complainant

**PRAYER:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for records in connection with the case in P.R.C.No.42 of 2015 pending on the file of the learned Judicial Magistrate, Sankarankovil and to quash the same.

For Petitioner : M/s.T.Kalaiselvi  
For R-1 : Mr.K.S.Durai Pandiyan,  
Additional Public Prosecutor.  
For R-2 : Mr.A.Ilayaraja

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**COMMON ORDER**

Criminal Original petition in Crl.O.P.(MD)No.20676 of 2016 is filed for quashing the Charge Sheet in C.C.No.143 of 2015 pending on the file of the learned Judicial Magistrate, Sankarankovil.

2. Criminal Original petition in Crl.O.P.(MD)No.20677 of 2016 is filed for quashing the Charge Sheet in C.C.No.142 of 2015 pending on the file of the learned Judicial Magistrate, Sankarankovil.

3. Criminal Original petition in Crl.O.P.(MD)No.20678 of 2016 is filed for quashing the criminal proceedings in P.R.C.No.42 of 2015 pending on the file of the learned Judicial Magistrate, Sankarankovil.



4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

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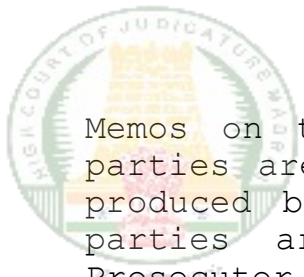
5. The petitioner in CrI.O.P.(MD)No.20676 of 2016 is the sole accused in Crime No.138 of 2015. The petitioner in CrI.O.P.(MD) No.20677 of 2016 is the sole accused in Crime No.136 of 2015. Similarly, the petitioner in CrI.O.P.(MD)No.20678 of 2016 is the first accused in Crime No.139 of 2015.

6. On the basis of the complaint lodged by the second respondent in CrI.O.P.(MD)No.20676 of 2016, a case was registered as against the petitioner in CrI.O.P.(MD)No.20676 of 2016 in Crime No.138 of 2015 for the alleged offences under Sections 294(b), 387 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.20677 of 2016, a case was registered as against the petitioner in CrI.O.P.(MD) No.20677 of 2016, in Crime No.136 of 2015 for the alleged offences under Sections 294(b) and 506(i) of I.P.C. Similarly, on the basis of the complaint lodged by the second respondent in CrI.O.P.(MD) No.20678 of 2016, a case was registered as against the petitioner in CrI.O.P.(MD)No.20678 of 2016, in Crime No.139 of 2015 for the alleged offences under Sections 294(b), 323, 447, 307, 506(ii) of I.P.C., and Section 3 of T.N.P.P.D.L. Act.

7. After filing Charge Sheet in Crime No.138 of 2015, the case was taken on the file in C.C.No.143 of 2015 by the learned Judicial Magistrate, Sankarankovil. Similarly, after filing Charge Sheet in Crime No.136 of 2015, the case was taken on file in C.C.No.142 of 2015 by the learned Judicial Magistrate, Sankarankovil. Similarly, after filing Charge Sheet in Crime No.139 of 2015, the case was taken on file in P.R.C.No.42 of 2015 by the learned Judicial Magistrate, Sankarankovil.

8. It appears that the parties, namely, the petitioner and the second respondent in all the cases have settled their dispute amicably out of Court, at the intervention of the elders and relatives. It is stated that the parties also have entered into a compromise. Separate Joint Compromise Memos, dated 06.12.2017 respectively, signed by the petitioner and the de-facto complainant in all the cases in the presence of their respective counsels are produced before this Court. As per the Joint Compromise memos, the second respondent in all the cases have no objection for quashing the criminal proceedings in C.C.No.142 of 2015, C.C.No.143 of 2015 and P.R.C.No.42 of 2015 pending on the file of the learned Judicial Magistrate, Sankarankovil.

9. The parties, namely, the petitioner and the second respondent in all 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.

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10. Though in P.R.C.No.42 of 2015, there are three accused and the Criminal Original petition in Crl.O.P.(MD)No.20678 of 2016 has been filed only by the first accused, this Court is inclined to allow the petition against all the accused, as the other accused also have signed in the Joint Compromise Memo.

11. 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 criminal proceedings in C.C.No.142 of 2015, C.C.No.143 of 2015 and P.R.C.No.42 of 2015 on the file of the learned Judicial Magistrate, Sankarankovil, are quashed in *toto*. The Joint Compromise Memos signed by the parties shall form part of the order. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

**Encl.: Xerox copy of Compromise Memos**

**To**

1. The Judicial Magistrate, Sankarankovil.
2. The Inspector of Police,  
Sankarankovil Town Police Station,  
Tirunelveli District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO M/s.T.KALAISELVI, ADVOCATE IN SR No. 92789

PMU

TE/SKN-RSK/SAR-1 : 10/01/2018 : 4P/5C

CRL OP(MD)Nos.20676 to 20678 of 2016 and  
CRL.M.P. (MD)Nos.10502 to 10507 of 2016  
13.12.2017