



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2017

CORAM

**THE HON'BLE MR.JUSTICE P.N.PRAKASH**

WEB COPY

**Crl.O.P. (MD) Nos.7630 and 7631 of 2017**

**Crl.O.P. (MD) No.7630/2017**

1.Vetrivel

2.Rajaram

3.Akash

: Petitioners / Accused 1 to 3

-vs-

1. The Inspector of Police,  
Aralvoimozhi Police Station,  
Kanyakumari District

: R1 / Complainant

2. Murugesh

: Respondent No.2/  
Defacto Complainant

**Prayer:** Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records pertaining to Crime No.150/2017 on the file of the 1<sup>st</sup> respondent police, Aralvoimozhi, Kanyakumari District and quash the same.

For Petitioners : Mr.M.P.Senthil

For Respondent No.1 : Mr.K.Anbarasan

Government Advocate (Crl. side)

For Respondent No.2 : Mr.D.Chellapandi

**Crl.O.P. (MD) No.7631/2017**

1.Tamilselvan

2.Murugesh

3.Venkadesh

: Petitioners / Accused 1 to 3

-vs-

1. The Inspector of Police,  
Aralvoimozhi Police Station,  
Kanyakumari District

: R1/ Complainant

2. Akash

: Respondent No.2/  
Defacto Complainant

**Prayer:** Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records pertaining to Crime No.151/2017 on the file of the 1<sup>st</sup> respondent police, Aralvoimozhi, Kanyakumari District and quash the same.

For Petitioners : Mr.D.Chellapandi

For Respondent No.1 : Mr.K.Anbarasan

Government Advocate (Crl. side)

For Respondent No.2 : Mr.M.P.Senthil

**COMMON ORDER**

It is a case and counter case.

2. On the complaint lodged by one Murugesh/2<sup>nd</sup> respondent, the first respondent police registered a case in Crime No.150 of 2017 for offences under Sections 341, 294(b), 323 and 506(i) IPC against the petitioners in CrI.O.P.(MD) No.7631/2017 and on the complaint lodged by one Akash/2<sup>nd</sup> respondent, the first respondent police registered a case in Crime No.151 of 2017 for offences under Sections 341, 294(b), 323 and 506(i) IPC against the petitioners in CrI.O.P.(MD) No.7630/2017, challenging which, the accused and the *defacto* complainant are before this Court for quashing the FIR in Crime Nos.150 and 151 of 2017 against the petitioners in both the petitions on the ground that they have arrived at a compromise.

3. Today, when the matter is taken up for hearing, Mr.O.Vijayakumar, Special Sub Inspector of Police, Aralvoimozhi Police Station, Kanyakumari, is present in Court. The *defacto* complainants are present and the accused in both the cases are also present and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the Special Sub Inspector of Police.

4. The petitioners in both the petitions and the second respondents have filed a joint compromise memo dated 16.06.2017, in which, it has been stated as follows:

**"1. Based on the complaint of the 2<sup>nd</sup> respondent, the petitioners were arrayed as accused in Crime No.150/2017 against the petitioners for the alleged offence punishable under Sections 341, 294(b), 323 & 506(i) of IPC.**

**2. In the meantime, the petitioners and the 2<sup>nd</sup> respondent entered into a compromise in the presence of elders. Based on the compromise, the 2<sup>nd</sup> respondent hereby agrees and says no objection for quashing the case registered against the petitioners in Crime NO.150/2017 on the file of the 1<sup>st</sup> respondent police.**

**3. The parties to the above proceeding has entered into compromise memo after taking into consideration of their family peace as well as the entire disputes. The parties have further entered into the compromise memo only on their own volition.**

**4. Therefore, the parties herein jointly pray that this Hon'ble Court may be pleased to quash the proceedings in Crime NO.150/17 on the file of the 1<sup>st</sup> respondent police, Aralvoimozhi, Kanyakumari district. The 2<sup>nd</sup> respondent herein also filed a separate**



**affidavit to that effect."**

5. In view of the joint compromise memo dated 16.06.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, these petitions are allowed and the FIRs in Crime Nos.150 and 151/2017 pending on the file of the respondent police, in respect of all the accused, including the accused, who are not before this Court, are hereby quashed. The joint compromise memos dated 16.06.2017 shall form part of this order. However, petitioners in both the petitions are directed to pay a sum of Rs.500/- (Rupees five hundred only) each, to the Gandhi Museum, Madurai, within a period of two weeks from today.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To:

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

Copy To:

The Curator, Gandhi Museum, Madurai-20.

+3 CC to M/s.M.P.SENTHIL, Advocate, SR No. 61831, 61408

RR

PSM/MR-KKR/SAR1/07.07.2017/3P/7C

Order made in  
**Crl.O.P. (MD) No.7630 and 7631 of 2017**  
**Dated: 21.06.2017**