



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2017

CORAM

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THE HON'BLE MR.JUSTICE S.S.SUNDAR**Crl.O.P. (MD) Nos.8462 and 8463 of 2017**

In Crl.O.P. (MD) Nos.8462 of 2017

1.Arumuga Nainar

2.Suriya Kumar

... Petitioners/Accused Nos. 1 and 2

-vs-

1.The State represented by its

Inspector of Police,

Thoothukudi Central police Station,

Thoothukudi District.

(Cr.No.508/2016).

... Respondent/Complainant

2.Sundarapandian

... Respondent/De-facto Complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the records of the case in Crime No.508 of 2016 on the file of the 1st respondent Police and quash the same.

For Petitioner : Mr.M.Hariharan

For R1 : Mr.K.Anbarasan

Government Advocate (Crl.side)

For R2 : Mr.S.Krishnan

In Crl.O.P. (MD) Nos.8463 of 2017

Sundarapandian ...Petitioner/Sole Accused

Vs.

1.The State represented by its

Inspector of Police,

Thoothukudi Central police Station,

Thoothukudi District.

(Cr.No.507/2016).

...Respondent/Complainant

2.Arumuga Nainar

...Respondent/De-facto Complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the records of the case in Crime No.507 of 2016 on the file of the 1st respondent Police and quash the same.

For Petitioner : Mr.S.Krishnan

For R1 : Mr.K.Anbarasan

Government Advocate (Crl.side)

For R2 : Mr.M.Hariharan

**COMMON ORDER**

The petitions have been filed seeking to quash the FIRs in Crime.Nos. 507 and 508 of 2016 on the file of the first respondent Police, pursuant to the amicable settlement effected between the parties.

2. It is submitted that the above said cases are the case and counter case. The case in Crime No.507 of 2016 is filed for the offences under Sections 294(b), 323 and 506(i) IPC and the case in Crime No.508 of 2016 is filed for the offences under Sections 294 (b), 324, 506(i) of IPC. It is submitted that due to some internal friction, the earlier complaint was motivated and as a counter blast, another complaint was also lodged. At the advise of well wishers, both parties have entered into a compromise.

3.They have filed a compromise memos dated 30.06.2017 and 30.06.2017 duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the defacto complainants in both cases have agreed to quash the FIRs in Crime.Nos. 507 and 508 of 2016 on the file of the first respondent Police.

4. When the matters are taken up for hearing, the parties have appeared in person and they have submitted that they have signed in the compromise memo out of their own will and volition. The identifications of the parties, who signed in the compromise memo, were also verified by this Court through authenticated documents produced before this Court. Apart from that, identity of the parties are confirmed by the learned Government Advocate (Crl.side) through the respondent police.

5.Considering the nature of cases and in view of the joint compromise memos dated 30.06.2017 and 30.06.2017, this Court is of the opinion that no useful purpose will be served in keeping the First Information Reports pending. Therefore, the FIRs in Crime.Nos. 507 and 508 of 2016 on the file of the first respondent Police, in respect of the the accused are hereby quashed.

6. Accordingly, the Criminal Original Petitions are allowed on the basis of the compromise entered into between the parties. The joint compromise memos dated 30.06.2017 and 30.06.2017 shall form part of the order.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar



To:

1.The Inspector of Police,
Thoothukudi Central police Station,
Thoothukudi District.

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

+1cc to Mr.S.MAHENDRAPATHY Advocate in SR. NO.64324

+1cc to Mr.S.KRISHNAN Advocate in SR. No.64323

CM/GSP

JS/MR.KKR/SAR.4/25.07.2017/3P-5C

Cr1.O.P. (MD) Nos.8462 and 8463 of 2017
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