



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) Nos.8618 and 9142 of 2017Crl.O.P.(MD) No.8618 of 2017:

- 1.Ashokan
- 2.Ramu @ Ooravayal Ramu
- 3.Rajiv @ Rajigandhi
- 4.Sargunam @ Sargunan
- 5.Vimal
- 6.Manikandan
- 7.Pushparaj
- 8.Chinnadurai
- 9.Chidambaram
- 10.Meyyappan
- 11.Thatchinamoorthy

... Petitioners/Accused 1 to 11

-Vs-

1. The Deputy Superintendent of Police,
Karaikudi,
Sivagangai District.
2. The State Rep. by,
The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District,
(In Crime No.112 of 2017)
3. Ravi

... Respondent/Complainant

... Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records in Crime No.112 of 2017 pending investigation on the file of the Inspector of Police, Karaikudi North Police Station, Sivagangai District and quash the same.

For Petitioner	: Mr.S.M.Sanjay
For Respondents 1 & 2	: Mr.K.Anbarasan, Government Advocate (Crl.side)
For 3 rd Respondent	: Mr.D.Palanikumar



Crl.O.P. (MD) No.9142 of 2017:

- 1.Ravi^s
- 2.Velu @ London Velu
- 3.Anguraj
- 4.Shanmugamani
- 5.Balamurugan
- 6.Bathri @ Bakir Mohamed
- 7.Selvaraj
- 8.Ravichandran
- 9.Nagaraj
- 10.Karthi
- 11.Sankar

... Petitioners/Accused 1 to 3,
5 to 12

-Vs-

1. The Deputy Superintendent of Police,
Karaikudi,
Sivagangai District.
2. The State Rep. by,
The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District,
(In Crime No.111 of 2017) ... Respondent/Complainant

3. Chidambaram ... Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records in Crime No.111 of 2017 pending investigation on the file of the 2nd respondent police and quash the same.

For Petitioner : Mr.D.Palanikumar

For Respondents 1 & 2 : Mr.K.Anbarasan,
Government Advocate (Crl.side)

For 3rd Respondent : Mr.G.Thiruvarutselvan

COMMON ORDER

These Criminal Original petitions are filed to call for records in Crime Nos.111 and 112 of 2017 pending investigation on the file of the 2nd respondent police and quash the same.



2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal side) appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.

WEB COPY

3. The petitioners in CrI.O.P.(MD) No.8618 of 2017 are accused Nos.1 to 11 in Crime No.112 of 2017 dated 08.02.2017 registered for the offence under Sections 147, 294(b), 323, 379 and 506(i) I.P.C. r/w 3(1)(r), 3(1)(s) of SC/ST Act. The petitioners in CrI.O.P.(MD) No.9142 of 2017 are accused Nos.1 to 3, 5 to 12 in Crime No.111 of 2017 dated 08.02.2017 registered for the offence under Sections 147, 294(b), 341 and 506(i) I.P.C. r/w 3(1)(r), 3(1)(s) of SC/ST Act. The defacto complainant in Crime No.112 of 2017 is the first accused in Crime No.111 of 2017. The defacto complainant in Crime No.111 of 2017 is the 9th accused in Crime No.112 of 2017.

4. Pursuant to the registration of the criminal cases, it appears that except the 4th accused in Crime No.111 of 2017, all the accused in Crime Nos.111 and 112 of 2017 and the defacto complainants therein have entered into a compromise. In the compromise memo dated 06.07.2017, entered into between the petitioners in CrI.O.P.(MD) No.8618 of 2017 and the defacto complainant, it is stated that the parties have settled the dispute amicably out of Court on the advise of elders of their Party and that the defacto complainant has agreed to compromise the same. Similarly, the petitioners in CrI.O.P.(MD) No.9142 of 2017 and the defacto complainant have also entered into a compromise by signing a compromise memo dated 14.07.2017 with similar clauses. The compromise memos signed by the parties are also counter signed by their respective counsel.

5. The parties appeared before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memos 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 Government Advocate (Criminal side) through the first respondent police.

6. Having regard to the specific clause in the agreement that the defacto complainants in both the cases have no objection for quashing the F.I.Rs. in both the cases, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, the criminal proceedings in Crime No.112 of 2017 pending on the file of the second respondent police is quashed in toto and the criminal proceedings in Crime No.111 of 2017 pending on the file of the second respondent police is quashed in respect of accused Nos.1 to 3 and 5 to 12 and the Joint Compromise Memos signed by the parties shall form part of the order.



7. Accordingly, these Criminal Original petitions are allowed.

Sd/-

Assistant Registrar CS-II)

/True copy/

Sub Assistant Registrar

Encl: 2 Joint Compromise Memos

To

1. The Deputy Superintendent of Police,
Karaikudi,
Sivagangai District.
2. The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to M/s.S.M.SANJAY, Advocate, SR No. 66184 & 66185

SJ

PSM/MR-KKR/SAR2/26.07.2017/4P/6C

Cr1.O.P.(MD) Nos.8618 and 9142 of 2017
18.07.2017