



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDARCrI.O.P.(MD) Nos.9216 and 9245 of 2017CrI.O.P.(MD) No.9216 of 2017

1.Ramachandran
2.Periyamuthuchamy
3.Vijayaprabhakaran

... Petitioners/Accused Nos.1 to 3

-Vs-

1. The State

Rep. by its Sub-Inspector of Police,
M.Rettiyapatti Police Station,
Virudhunagar District.
(Crime No.57 of 2016)

... Respondent /Complainant

2. Mookiah

... Respondent /Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in S.T.C. No.779 of 2016 on the file of the learned Judicial Magistrate, Aruppukottai and quash the same.

For Petitioners : M/s.Bharathamani

For R-1 : Mr.K.Anbarasan,
Government Advocate(CrI.side).

For R-2 : Mr.A.Baskaran

CrI.O.P.(MD) No.9245 of 2017

1.Mookiah
<https://hcservices.mca.gov.in/hcservices/>
2.Veerapandi
3.Veerapandi
4.Veerapoochan

... Petitioners/Accused No.1 to 4



-Vs-

1. The State,
Rep. by its Sub-Inspector of Police,
M.Rettiyapatti Police Station,
Virudhunagar District.
(Crime No.56 of 2016) ... Respondent /Complainant

2. Vijayaprabhakaran ... Respondent /Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the records in S.T.C No.784 of 2016 on the file of learned Judicial Magistrate, Aruppukottai and quash the same.

For Petitioners : Mr.A.Baskaran

For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).

For R-2 : Mr.P.Bharatha Mani

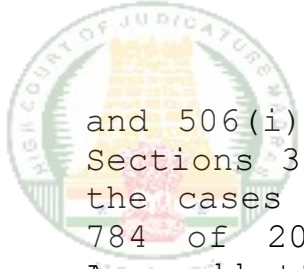
COMMON ORDER

These Criminal Original petitions are filed for quashing the criminal case in S.T.C. Nos.779 and 784 of 2016 on the file of learned Judicial Magistrate, Aruppukottai.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal side) appearing for the first respondent and learned counsel appearing for the second respondent.

3. The first petitioner in Crl O.P.(MD) No.9245 of 2017 is the defacto complainant in relation to the criminal case in S.T.C. No.779 of 2016. The third petitioner in Crl.O.P.(MD)No.9216 of 2017 is the defacto complainant in relation to the criminal case in S.T.C.No.784 of 2016.

4. On the basis of the complaints given by the defacto complainant in the both cases, a case and counter was registered by the first respondent police against the accused in both cases in Crime Nos.56 of 2016 for the offence under Sections 294(b), 323



and 506(i) IPC and in Crime No.57 of 2016 for the offence under Sections 323 and 506(i) IPC. The Charge Sheets were filed in both the cases and the same were taken on file in S.T.C.Nos. 779 and 784 of 2016 on the file of the learned Judicial Magistrate, Aruppukkottai.

5. Pursuant to the filing of the Charge Sheets, the petitioners in both the Criminal Original Petitions and the defacto complainants in the respective cases have entered into a compromise independently, on the advise of the elders and well wishers.

6. The Joint Compromise Memo signed by the petitioners and the defacto complainants, have been filed before this Court. The compromise memos, dated 10.07.2017 and 11.07.2017 respectively, signed by the parties and the respective Counsels indicate that the parties have entered into compromise stating that their dispute were settled amicably out of Court and that they have signed in the compromise memo agreeing to withdraw the respective cases.

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

8. Having regard to the fact that the parties have agreed to withdraw the respective cases, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence these Criminal Original petitions are allowed and in terms of the compromise memos, the criminal case in S.T.C. Nos.779 and 784 of 2016 on the file of the learned Judicial Magistrate, Aruppukkottai, are quashed in toto and the Joint Compromise Memo signed by the respective parties in both cases shall form part of the order.

Sd/-

Assistant Registrar(ADII)

/True Copy/

Sub-Assistant Registrar

To

(*)JOINT COMPROMISE MEMO XEROX COPY IS ENCLOSED HEREWITH

1.The Judicial Magistrate, Aruppukkottai.

2.The Sub-Inspector of Police,

M.Rettiyapatti Police Station, Virudhunagar District.

3.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

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

RL/4C/2P/JC/SAR1/1/8/2017

Crl.O.P.(MD) Nos.9216 and 9245 of 2017

19.07.2017