



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2018

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THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CrI.O.P.(MD) Nos.17965 and 17966 of 2017
and 301 of 2018

CrI.O.P.(MD) No.17965 of 2017

- 1.Muniyasamy Thevar
- 2.Sundaramurugan
- 3.Ramamoorthy
- 4.R.R.Ramasamy
- 5.Saravanan
- 6.Murugan @ Rajini Murugan
- 7.Nagarathinam

...Petitioners/Accused 1 to 7

-Vs-

1. The State represented by its,
The Inspector of Police,
Rameswaram Police Station,
Ramanathapuram District.,
(In Crime No.48 of 2013)

...1st Respondent/Complainant

- 2.Nambuvel

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to quash the proceedings in the FIR in Cr.No.48 of 2013 on the file of the Temple Police Station, Rameswaram, Ramanathapuram District, based on the compromise entered between the petitioners and the defacto complainant.

(Prayer amended vide order of this Court dated 05.02.2018 made in CrI.M.P.(MD).No.122 of 2018 in CrI.O.P.(MD).No.17965 of 2017)

CrI.O.P.(MD) No.17966 of 2017

- 1.Muniyasamy Thevar
- 2.Nagarathinam
- 3.Muthuramalingam
- 4.Ramamoorthy
- 5.Saravanan
- 6.Murugan S/o.Vellaichamy
- 7.Murugan S/O.Irulandi
- 8.Vadivel



9.Jayaraman
10.Thirupathi
11.Murugan @ Rajini Murugan
12.R.R.Ramasamy
13.Thangarasu
14.Sundaramurugan
15.Balamurugan @ Arippu Bala @ Bala

... Petitioners/Accused 1 to 15

-Vs-

1. The State represented by its,
The Inspector of Police,
Rameswaram Police Station,
Ramanathapuram District.,
(In Crime No.47 of 2013) ...1st Respondent/Complainant
- 2.Nambuvel ... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to quash the proceedings in the FIR in Cr.No.47 of 2013 on the file of the Temple Police Station, Rameswaram, Ramanathapuram District, based on the compromise entered between the petitioners and the defacto complainant.

(Prayer amended vide order of this Court dated 05.02.2018 made in CrI.M.P. (MD).No.121 of 2018 in CrI.O.P. (MD).No.17966 of 2017)

CrI.O.P. (MD) No.301 of 2018

- 1.Muniyasamy Thevar
2.Nagarathinam
3.Muthuramalingam
4.Ramamoorthy
5.Saravanan
6.Murugan
S/o.Vellaichamy
7.Murugan,
S/o.Irulandi
8.Vadivel
9.Jayaraman
10.Thirupathi
11.Murugan @ Rajini Murugan
12.R.R.Ramasamy
13.Patchammal
14.Thangarasu



15.Murugan

S/o.Sappani Thevar

16.Balamurugan @ Arippu Bala @ Bala

...Petitioners/Accused Nos.1 to 16

-Vs-

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1. The State represented by its,
The Inspector of Police,
Rameswaram Police Station,
Ramanathapuram District,
(In Crime No.49 of 2013) ...1st Respondent/Complainant

2.T.M.Kannan ... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to quash the charge sheet in C.C.No.79 of 2017 on the file of the learned Judicial Magistrate, Rameswaram, Ramanathapuram District based on the Compromise entered between the Petitioners and the defacto complainant.

In all Crl.O.Ps:

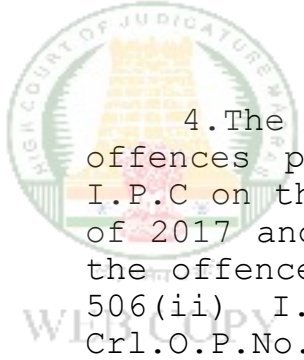
For Petitioners	: Mr.R.Senthilkumar
For R-1	: Mr.O.P.G.Ohm Chairma Prabhu Government Advocate
For R-2	: Mr.K.Palmurugan

COMMON ORDER

Crl.O.P.(MD).Nos.17965 and 17966 of 2017 have been filed to quash the proceedings in the FIRs in Cr.Nos.48 and 47 of 2013 on the file of the Inspector of Police, Temple Police Station, Rameswaram, Ramanathapuram District. Crl.O.P.(MD).No.301 of 2018 has been filed to quash the charge sheet in C.C.No.79 of 2017 on the file of the learned Judicial Magistrate, Ramanathapuram, as against the petitioners in all the petitions, based on the compromise entered between the petitioners and the defacto complainant..

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate appearing for the first respondent and the learned counsel appearing for the second respondent.

3.The petitioners in Crl.OP(MD) No.17965 of 2017 are accused Nos.1 to 7 in Crime No.48 of 2013, the petitioners in Crl.OP(MD) No.17966 of 2017 are accused Nos.1 to 15 in Crime No.47 of 2013 and similarly, the petitioners in Crl.OP(MD) No.301 of 2018 are the accused Nos.1 to 16 in C.C.No.79 of 2017 on the file of the learned Judicial Magistrate, Ramanathapuram. The second respondent in all the petitions is the defacto complainant.



4.The complaint in Crime No.48 of 2013 was registered for the offences punishable under Sections 147, 148, 448, 427 & 506(ii) I.P.C on the file of the first respondent police in CrI.O.P.No.17965 of 2017 and the complaint in Crime No.47 of 2013 was registered for the offences punishable under Sections 147, 148, 448, 294(b), 427 & 506(ii) I.P.C on the file of the first respondent police in CrI.O.P.No.17966 of 2017. Similarly, the complaint in Crime No.49 of 2013 was registered for the offences punishable under Sections 147, 148, 448, 294(b), 323, 427 & 506(ii) I.P.C on the file of the first respondent police in CrI.O.P.No.301 of 2018 and the first respondent has investigated the matter and filed the final report before the learned Judicial Magistrate, Rameswaram against all the accused. Thereafter, the said case was taken on file in C.C.No.79 of 2017.

5.It appears that at the advise of the elders and friends, the petitioners and second respondent in all the cases have agreed to compromise the matter, out of Court. Joint Compromise Memos, dated 08.10.2017 and 12.10.2017, are also filed to that effect. As per the Joint Compromise Memos, the de-facto complainant, namely, the second respondent, in all the cases, has given his consent to quash the entire proceedings in FIRs in Cr.Nos.48 and 47 of 2013 on the file of the Inspector of Police, Temple Police Station, Rameswaram, Ramanathapuram District and to quash the charge sheet in C.C.No.79 of 2017 on the file of the learned Judicial Magistrate, Ramanathapuram, as against the petitioners in all the petitions.

6.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 identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Government Advocate through the first respondent police.

7.Having regard to the agreement made between the parties, this Court is of the view that no useful purpose will be served by keeping these matters pending. As per the Compromise Memos signed by the parties, the de-facto complainant, namely, the second respondent in all the cases have agreed to quash the proceedings in FIRs in Cr.Nos.48 and 47 of 2013 and C.C.No.79 of 2017. Hence the criminal proceedings in FIRs in Cr.Nos.48 and 47 of 2013 on the file of the Inspector of Police, Temple Police Station, Rameswaram, Ramanathapuram District and the charge sheet in C.C.No.79 of 2017 on the file of the learned Judicial Magistrate, Ramanathapuram, as against the petitioners herein in all the petitions are quashed and the Joint Compromise Memos signed by the parties shall form part of the order.



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8. Accordingly, these Criminal Original petitions are allowed.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

(*) JOINT COMPROMISE MEMO XEROX COPY IS ENCLOSED HEREWITH

To

- 1.The Judicial Magistrate,
Ramanathapuram.
- 2.The Inspector of Police,
Rameswaram Police Station,
Ramanathapuram District.,
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+3ccs to Mr.R.Senthilkumar, Advocate, SR.Nos.46374 to 46376

vs
RL/7C/5P/KK/SAR4/9/3/2018

Cr1.O.P.(MD) Nos.17965 and 17966 of 2017
and 301 of 2018

05.02.2018