



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P. [MD] .Nos.5332 and 5333 of 2019

1.Arasu
2.Muthuramalingam
3.Malayan @ Malaidurai
4.Nagoor
5.Sathiyarasu
6.Malaiselvam
7.Anbukarasi
8.Arasammal
9.Paramasivam

... Petitioners / Accused
in Crl.O.P. (MD) No.5332 of 2019

1.Mutharasu
2.Ganesan
3.Bharathiraja
4.Lakshmi

... Petitioners / Accused
in Crl.O.P. (MD) No.5333 of 2019

Vs.

1.State Represented by
The Inspector of Police,
Jetty Police Station,
Rameswaram, Ramanathapuram District.
(Crime Nos.99 and 95 of 2018)

...1st Respondent / Complainant
in both petitions

2.Ganesan ...2nd Respondent in Crl.O.P. (MD) No.5332 of 2019/
Defacto Complainant

2.Muthuramalingam ...2nd Respondent in Crl.O.P. (MD) No.5333 of 2019/
Defacto Complainant

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of Cr.P.C. to call for the entire records in Crime Nos.99 and 95 of 2018 respectively on the file of the first respondent police and quash the same.

For Petitioners	: Mr.T.Palanisamy (in Crl.O.P. (MD) No.5332 of 2019)
For Petitioners	: Mr.K.Gokul (in Crl.O.P. (MD) No.5333 of 2019)
For R1	: Mr.A.P.G.OHM.Chairma Prabhu, Government Advocate [Crl. Side] (in both petitions)
For R2	: Mr.Shri.K.Gokul (in Crl.O.P. (MD) No.5332 of 2019)



For R2

: Mr.T.Palanisamy
(in CrI.O.P.(MD)No.5333 of 2019)

COMMON ORDER

These Criminal Original Petitions have been filed to quash the First Information Reports in Crime Nos.99 and 95 of 2018 respectively on the file of the first respondent police.

2.The petitioners in CrI.O.P.(MD)No.5332 of 2019 are the accused in Crime No.99 of 2018. Similarly, the petitioners in CrI.O.P.(MD)Nos.5333 of 2019 are the accused in Crime No.95 of 2018.

3.The case of the prosecution is that on 12.11.2018 at about 10.00 p.m., the accused persons in both cases for the purpose of disputing the marriage in between one Saranya Meenal and Mutharasu, who is the son of the second petitioner in CrI.O.P.(MD)No.5333 of 2019 attacked each other and damaged the property. Subsequently, their marriage was dissolved and the petitioners in both petitions decided to compromise themselves for conducting peaceful life in the particular locality.

4.The learned Government Advocate (CrI.Side) appearing for the respondent police has no objection and identified the parties before this Court.

5.Under such circumstances, no useful purpose will be served in keeping the cases pending. Even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641- (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Reports in Crime Nos.99 and 95 of 2018 respectively on the file of the respondent police.

6.These Criminal Original Petitions stand allowed and as a sequel, the First Information Reports in Crime Nos.99 and 95 of 2018 respectively on the file of the respondent police are quashed. Each of the petitioners shall pay a sum of Rs.1,000/- as costs, to the credit of the "Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry, Madurai Bench) within a period of two weeks from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar

// True Copy //



1. The Inspector of Police,
Jetty Police Station,
Rameswaram, Ramanathapuram District.

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

COPY TO

The Section Officer, Accounts Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+2CC TO MR.K.GOKUL, Advocate Sr. No. 61677

CRL.O.P. [MD] .Nos.5332 and 5333 of 2019
22.04.2019

RP (CO)

TR (02.05.2019) 3P 7C