



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2019

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P.(MD)Nos.8400 and 8404 of 2019

Crl.O.P(MD) .No.8400 of 2019

1.Vijayapandian
2.Jothivelan
3.Karthik
4.Praburajan

... Petitioners

Vs.

1.The State represented by
The Inspector of Police
Aruppukkottai Town Police Station
Aruppukkottai
Virudhunagar District

2.P.C.Muthuraj

...Respondents

Crl.O.P(MD) .No.8404 of 2019

Vijayapandian

... Petitioner

Vs.

1.The State represented by
The Inspector of Police
Aruppukkottai Town Police Station
Aruppukkottai
Virudhunagar District

2.C.M.Kannan

...Respondents

COMMON PRAYER: These Criminal Original Petitions have been filed under Section 482 Cr.P.C. to call for the records in C.C.No. 116 of 2018 and S.T.C.No.887 of 2018 on the file of Judicial Magistrate, Aruppukkottai, Virudhunagar District and quash the same.



For Respondent No.1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)
in both petitions

COMMON ORDER

The Criminal Original Petitions have been filed to call for the records in C.C.No. 116 of 2018 and S.T.C.No.887 of 2018 on the file of Judicial Magistrate, Aruppukkottai, Virudhunagar District and quash the same.

2. The petitioners in Crl.O.P.No.8400 of 2019 are arrayed as the accused in Crime No.731 of 2017 for the offence under Sections 294(b), 341, 324 506(ii) and 109 I.P.C read with Section 34 I.P.C. The petitioner in Crl.O.P(MD).No.8404 of 2019 is an accused in Crime No.851 of 2017 for the offence under Sections 294(b) and 506(i) I.P.C, based on the complaint given by the second respondent/defacto complainant in both petitions. Now, to quash the above criminal proceedings, the present petitions have been filed.

3. The learned counsel appearing for the petitioners as well as the learned counsel appearing for the second respondent in both petitions, submitted that both the petitioners and the second respondent/defacto complainant have settled their dispute between themselves amicably and the second respondent/defacto complainant in both petitions are not willing to proceed further with the criminal case.

4.Per contra, the learned Government Advocate (Crl.Side) appearing for the first respondent in both petitions, on instructions, would submit that there are six previous cases are pending against the first petitioner in both petitions.

5. On perusal of records, it is seen that actually there is no compromise between the parties. The petitioners/accused seems to have threaten the defacto complainant and also criminally intimidated him to enter into a compromise. Further, it is seen that so far six previous cases are pending against the first petitioner.

6.Considering the facts and circumstances of the case, this Court is not inclined to quash the criminal proceedings based on the alleged compromise. Accordingly, these Criminal Original Petitions are dismissed.

Sd/-

Assistant Registrar (CO)

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To:

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

Cr1.O.P. (MD) Nos.8400 and 8404 of 2019
18.07.2019

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