



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2020

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P.(MD).Nos. 3701 & 3703 of 2020

Crl.O.P.(MD).No. 3701 of 2020

1. Murugan
2. Vimal @ Sasivimal
3. Chelladurai
4. Johnson

... Petitioners/A1 to 4

Vs.

- 1.The Inspector of Police,
Panagudi Police Station,
in Crime No. 312 of 2018,
Tirunelveli District.

... R-1/Complainant

2. Paramasivam

... R-2/Defacto complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the FIR in Crime No. 312 of 2018 dated 08.06.2018 on the file of the first respondent and quash the same.

For Petitioner : Mr.C. Susikumar

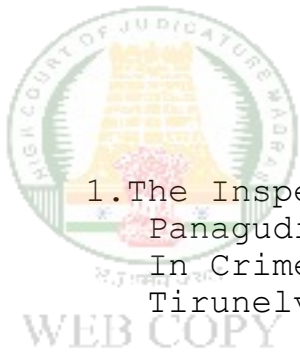
For R1 : Mr.S.Bharathi
Government Advocate (crl. side)

For R2 : Mr.R. Maheswaran

Crl.O.P.(MD).No. 3703 of 2020

1. Micheal @ Rajan
2. Kumaravel
3. Kajendran
4. Sudalai
5. Rajen
6. Paramasivam
7. Sharmaraj

... Petitioners / Accused Nos.1 to 7



Vs.

1.The Inspector of Police,
Panagudi Police Station,
In Crime No.311 of 2018,
Tirunelveli District.

... R-1/Complainant

2. Murugan

... R-2/Defacto complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for records relating to the FIR in Crime No. 311 of 2018 dated 08.06.2018 on the file of the first respondent and quash the same.

For Petitioners: Mr.R. Maheswaran

For R1 : Mr.S.Bharathi
Government Advocate (crl. side)

For R2 : Mr.C. Susikumar

COMMON ORDER

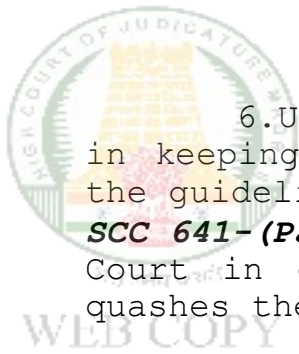
These Criminal Original Petitions have been filed to quash the FIR in Crime Nos. 312 & 311 of 2018 on the file of the first respondent police as against the petitioners.

2. The case in Cr.No.312 of 2018 on the file of the first respondent has been registered against the petitioner in Crl.OP.No.3701 of 2020 for the offences under Section 294(b), 323 and 506(i) of IPC.

3. The case in Cr.No.311 of 2018 on the file of the first respondent has been registered against the petitioner in Crl.OP.No.3703 of 2020 for the offences under Section 147, 294(b), 323 and 506(i) of IPC.

4. Both the cases are case and case in counter. The occurrence had happened while celebrating the temple festival on 02.06.2018. The cases are still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5. The Joint Memo of Compromise have been filed before this Court, which have been signed by the petitioners and the private respondents and also by their respective counsels. The petitioners and the private respondents were also present in person before this Court and they were identified by Mr.P. Yesudass, SSI. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



6. Under such circumstances, no useful purpose will be served in keeping the First Information Reports pending. 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime Nos.312 & 311 of 2018.

7. It is represented by the learned counsels for the petitioners that the petitioners will pay a sum of Rs.10,000/- (Rupees Ten thousand only) as costs to the Credit of the DT. SIDDHA MEDICAL OFFICER, CCRI and file the original cash receipts along with a memo. The said submission is placed on record.

8. Accordingly, these Criminal Original Petitions are allowed and as a sequel, the proceedings in Crime Nos. 312 & 311 of 2018, on the file of the first respondent police, are quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

To

(Encl. Xerox copy of Compromise memo)

The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

Copy to:

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

+2 CC to M/s.C.SUSIKUMAR, Advocate (SR-9803 & 9804[F] dated
03/03/2020)

Common Order made in
Crl.O.P. (MD) .Nos. 3701 & 3703 of 2020
28.02.2020

ksa

SDS (23.09.2020) 3P-5C