



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)Nos.7649 & 7650 of 2016

and CRL.M.P.(MD)Nos.3910 & 3911 of 2016

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CRL.O.P.(MD)No.7649 of 2016

1. M.Chithiravel
2. Ramesh
3. Jebamalai
4. Sekar ... Petitioners/Accused Nos.1, 2, 4 and 5
Vs.

1. The State through,
The Sub Inspector of Police,
Meignapuram police station,
Thoothukudi District. ...1st Respondent/Defacto
Complainant

2. John Thomas Thilagar ... 2nd Respondent/
Defacto Complainant

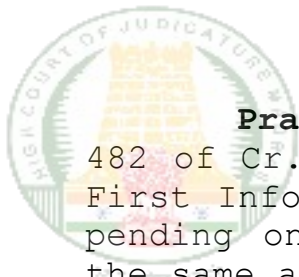
Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned First Information Report in Crime No.125 of 2015 dated 27.05.2015 pending on the file of the first respondent police and to quash the same as illegal.

CRL.O.P.(MD)No.7650 of 2016

1. M.Chithiravel
2. Ramesh
3. Perumal
4. Jebamalai
5. Sekar
6. Michael
7. Chitharai Pazham ... Petitioners/Accused Nos.1 to 7
Vs.

1. The State through,
The Sub Inspector of Police,
Meignapuram police station,
Thoothukudi District. ...1st Respondent/Defacto
Complainant

2. John Thomas Thilagar ... 2nd Respondent/
Defacto Complainant



Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned First Information Report in Crime No.126 of 2015 dated 29.05.2015 pending on the file of the first respondent police and to quash the same as illegal.

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(in both CrI.O.Ps.)

For Petitioners	: Mr.C.Christopher
For R-1	: Mr.A.Robinson, Government Advocate(CrI. Side).
For R-2	:Mr.R.Balakrishnan

C O M M O N O R D E R

The petitioners M.Chithiravel, Ramesh, Michael and Sekar appeared in person before this Court and filed affidavits to the fact that will abide by the civil Court's decree that was passed against them. In the affidavit, the following averments have been made:

"2. I state that the second respondent defacto complainant filed a civil suit in O.S.No.45 of 2010 on the file of the learned Munsif Court, Saathankulam, for permanent injunction and obtained decree against which the 1st accused Chithiravel and 4 others preferred 1st appeal in A.S.No.142 of 2011 before the Sub Court, Thoothukudi and the same was dismissed on 16.03.2012 against which second appeal was preferred in S.A.(MD)No.256 of 2016 before this Hon'ble Court and the same was also dismissed on 09.07.2018.

3. I state that I hereby undertake to abide by injunction decree passed in O.S.No.45 of 2010 dated 28.06.2011, which was confirmed by the 1st appellate Court in A.S.No.142 of 2011 on 16.03.2012 and the second appeal in S.A.(MD) No.256 of 2016 dated 09.07.2018.

4. I state that I have never disobey the decree I will never disobey the decree. And further, I will abide by the terms of decree and I hereby further undertakes that I will not indulge any offence in future."

2. Since the petitioners have agreed to abide by the civil Court's decree, I am of the view that the impugned First Information Reports can be given a quietus. In this view of the matter, this impugned First Information Reports stand quashed.



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CRL.O.P.(MD)No.7649 of 2016

3. The criminal original petitions stand allowed, accordingly. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1. The Sub Inspector of Police,
Meignapuram police station,
Thoothukudi District.

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

+1 CC to MR.C.CHRISTOPHER, Advocate (SR-2601[F] dated 23/01/2020)

+1 CC to MR.R.BALAKRISHNAN, Advocate (SR-2845[F] dated 24/01/2020)

Cr1.O.P.(MD)Nos.7649 & 7650 of 2016
22.01.2020

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