



Crl.O.P. (MD) Nos.16866 and 16878 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.11.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P. (MD) Nos.16866 and 16878 of 2021

WEB COPY

1.Santhanaraj

2.Selvamuthu

... Petitioners / Accused 1 &2
in Crl.O.P.No.16866 /21

1.Selvan @ Selvam

2.Azhaguviji @ Alagu Viji

... Petitioners / Accused 1 &2
in Crl.O.P.No.16878 /21

Vs.

1.The State represented
by its Inspector of Police,
Muthiahpuram Police Station,
Thoothukudi District.

(Crime Nos.298 and 299 of 2021). ... 1st respondent in both
Crl.O.P.s

2. Azhaguviji @ Alagu Viji

... 2nd respondent in
Crl.O.P(MD).No.16866 of 2021

2.Selvamuthu

... 2nd respondent in
Crl.O.P(MD).No.16878 of 2021

COMMON PRAYER: These Criminal Original Petitions are filed under Section 482 Cr.P.C, to call for the records connected with case in Crime Nos.298 and 299 of 2021 dated 30.09.2021 respectively on the file of the first respondent police and quash the same.

Petitioners in
Crl.O.P(MD).No.16866 of 2021

2nd respondent in
Crl.O.P(MD).No.16878 of 2021 : Mr. S. Rameshkumar

Petitioners in
Crl.O.P(MD).No.16878 of 2021

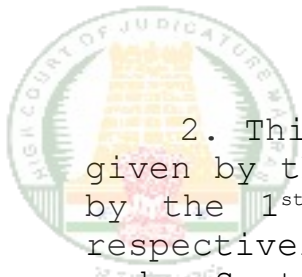
2nd respondent in
Crl.O.P(MD).No.16866 of 2021 : Mr. R. Alagumani

For 1st respondent
in both Crl.O.Ps

: Mr.RMS. Sethuraman
Additional Public Prosecutor

COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the FIR in Crime Nos.298 and 299 of 2021, dated 30.09.2021 on the file of the first respondent police.



2. This is a case of case and counter. Based on the complaint given by the petitioner in both Crl.O.Ps case have been registered by the 1st respondent Police in Crime Nos.298 and 299 of 2021 respectively. The case has been registered for the offences under Sections 294(b) and 323 IPC in Crime No.298 of 2021 and for the offences under Sections 294(b) and 323 IPC in Crime No.299 of 2021 respectively. It appears that both the petitioners are residing in the same village and they are maintaining the cordial relationship and they wanted to compromise the matter between them.

3. The further contention of the petitioners is that they compromised the issue with them amicably. A joint memo of compromise were filed, which have been duly signed by the petitioner in both Crl.O.Ps and also by their respective counsels.

4. Both the petitioners appeared through video conference from the Office of the Additional Public Prosecutor (Crl.Side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor (Crl.Side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memos, dated 22.10.2021 this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime Nos.298 and 299 of 2021 pending on the file of the 1st respondent police are quashed and the compromise memos are recorded.

6.In the result, the Criminal Original Petitions are allowed and the entire proceedings in Crime Nos.298 and 299 of 2021 pending on the file of the 1st respondent police are hereby quashed in respect of the petitioners and the terms of joint compromise memos shall form part of this order.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Crl.O.P. (MD) Nos.16866 and 16878 of 2021

To

Enclose copy of Joint Compromise Memo.

1. The Inspector of Police,
Muthiahpuram Police Station,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) Nos.16866 and 16878 of 2021
2.11.2021

RK(20/12/2021) 3P 3C