



WEB COPY



Crl.O.P.Nos.19944 & 19967 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.19944 of 2021 & Crl.M.P.No.10838 of 2021
and
Crl.O.P.No.19967 of 2021 & Crl.M.P.No.10864 of 2021

Crl.O.P.No.19944 of 2021

A.Sumathi ... Petitioner
/vs/

1.The Inspector of Police,
Sathyamangalam Police Station,
Sathyamangalam, Erode District.
Crime No.409 of 2017.

2.Thirumurthy ... Respondents

Crl.O.P.No.19967 of 2021

1.Senthil Kumar
2.Kumaresan @ Kumar
3.Thirumurthy
4.Palanisamy ... Petitioners
/vs/

1.The Inspector of Police,
Sathyamangalam Police Station,
Sathyamangalam, Erode District.
Crime No.408 of 2017

2.A.Sumathi ... Respondents



Crl.O.P.Nos.19944 & 19967 of 2021

COMMON PRAYER : The criminal original petitions have been filed under Section 482 of Cr.P.C. to call for the records in Cr.Nos.409 of 2017 & 408 of 2017 on the file of the 1st respondent police and quash the same.

Crl.O.P.No.19944 of 2021

For Petitioner	...	Mr.M.Deepan
For Respondent No.1	...	Mr.L.Baskaran Government Advocate (Crl.side)
For Respondent No.2	...	Party-in-person

Crl.O.P.No.19967 of 2021

For Petitioners	...	Mr.Arulmuruganandham.N.K.
For Respondent No.1	...	Mr.L.Baskaran Government Advocate (Crl.side)
For Respondent No.2	...	Pary-in-person

COMMON ORDER

These criminal original petitions have been filed to call for the records in Cr.Nos.409 of 2017 & 408 of 2017 on the file of the 1st respondent police and quash the same.



CrI.O.P.Nos.19944 & 19967 of 2021

2.The case of the prosecution is that on 27.09.2017 Senthil Kumar (A1) along with the other accused had assaulted the defacto complainant viz., A.Sumathi and her relatives regarding a matrimonial dispute and she gave a complaint on 29.09.2017, on such a complaint, the 1st respondent police has registered a case in crime No.408 of 2017. As a counter blast, Thirumoorthy gave a complaint, which was registered in crime No.409 of 2017.

3.When the matter is taken up for hearing, the learned counsel appearing for the parties as well as the learned Govt.Advocate appearing for the first respondent submitted that both the petitioners and the second respondent/defacto complainant in both cases have settled their disputes amicably, pursuant to which, they have also entered into a joint compromise memo 08.08.2023. Thus, they prayed to allow these criminal original petitions by recording the joint compromise memo entered between both the parties.

4.Heard both sides and perused the materials available on record.



CrI.O.P.Nos.19944 & 19967 of 2021

WEB COPY

5. On perusal of the records, it is seen that both the cases are case and counter case. Now, both the parties in both cases viz., respondent/complainant and petitioners/accused have settled their disputes out of court and compromised with each other and to that effect, they have also filed a Joint Compromise Memo, dated 08.08.2023, duly signed by the petitioners/accused, respondent/complainant and their respective counsel. They are present before this Court in person along with their counsel. In order to identify themselves as respective parties, they have also produced the copy of the Aadhar card and it is made part of the record. Apart from that, Mr.M.R.Ambazhagan, Sub-Inspector of Police, Sathyamangalam Police Station, Erode District also identified the parties and this Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves and the offences only under Sections 143, 294(b), 323, 324, 506(1)IPC and 4 of TN Prohibition of Harassment of Woman Act, 2002 and being a private dispute and since the parties are settled the dispute out of Court and parties are not willing to pursue the complaint further.



CrI.O.P.Nos.19944 & 19967 of 2021

WEB COPY Recording the submissions made by the learned counsel for the parties as well as the compromise memo dated 08.08.2023, the FIR in crime Nos.408 & 409 of 2017 are hereby quashed. Accordingly, the criminal original petitions are allowed. Consequently, connected miscellaneous petitions are closed.

Index : Yes/No
Internet : Yes/No
sms

08.08.2023

To

1.The Inspector of Police,
Sathyamangalam Police Station,
Sathyamangalam, Erode District.
Crime No.409 of 2017.

2.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.Nos.19944 & 19967 of 2021

V.SIVAGNANAM ,J.

sms

Crl.O.P.No.19944 of 2021 &
Crl.M.P.No.10838 of 2021
and
Crl.O.P.No.19967 of 2021 &
Crl.M.P.No.10864 of 2021

08.08.2023