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Crl.O.P.No.28493 of 2019 &
Crl.O.P.No.9336 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.28493 of 2019 & Crl.M.P.No.15198 of 2019

and

Crl.O.P.No.9336 of 2023

Crl.O.P.No.28493 of 2019

1.D.Navin Kumar

2.D.Arun Kumar

...

/vs/

Petitioners

1.The State Rep.by

Inspector of Police,

P-6, Kodungaiyur Police Station,

Chennai. Crime No.691 of 2019.

2.Karthiban

3.Dhanasekar

...

Respondents

Crl.O.P.No.9336 of 2023

1.Karthik @ Kartheepan

2.Santhosh @ Santhosh Raj

...

/vs/

Petitioners

State represented by

1.The Inspector of Police

P-6, Kodungaiyur Police Station,

Chennai (Cr.No.690 of 2019)

2.Dhanasekar

...

Respondents



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COMMON PRAYER : The criminal original petitions have been filed under Section 482 of Cr.P.C. to call for the entire records pertaining to FIR in crime Nos.691 of 2019 & 690 of 2019 on the file of the first respondent police and quash the same as illegal and arbitrary.

Crl.O.P.No.28493/2019

For Petitioners	...	Ms.L.Sumathi for M/s.Karan and Uday
For Respondent No.1	...	Mr.V.J.Priyadarsana Government Advocate (Crl.side)
For Respondent No.2	...	Mr.P.Parthiban
For Respondent No.3	...	Party-in-person

Crl.O.P.No.9336 of 2023

For Petitioners	...	Mr.P.Parthiban
For Respondent No.1	...	Mr.V.J.Priyadarsana Government Advocate (Crl.side)
For Respondent No.2	...	Pary-in-person



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COMMON ORDER

Challenging the FIR in crime Nos.691 of 2019 & 690 of 2019 on the file of the first respondent police, these criminal original petitions have been filed.

2.The fact of the case is that on 07.06.2019 quarrel arose between both the parties in both Crl.OPs., when the Perambur Assembly winning Candidate of DMK party visited his ward members to extend his gratitude for the general public who casted their votes in his favour. There, some quarrel arose between the parties for improper and biased organization arranged by the second respondent/defacto complainant in Crl.O.P.No.9336 of 2023. Thereby, in the heat of passion, both the parties attacked each other and sustained severe injury on both the parties. Thereby, the 2nd respondent in Crl.O.P.No.9336 of 2023 gave a complaint before the first respondent police, which was registered a case in Crime No.690 of 2019. As a counter blast, the 2nd respondent in Crl.O.P.No.28493 of 2019 gave a complaint before the first respondent police, which was registered a case in crime No.691 of 2019.



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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 and Dhanasekar appearing party-in-person in both cases submitted that both the petitioners and the second respondent/defacto complainant have settled their disputes amicably, pursuant to which, they have also entered into a joint compromise memo on 20.03.2023. 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.

5. On perusal of the records, it is seen that the petitioners in Crl.O.P.No.28493 of 2019 are the second and third accused in Crime No.691 of 2019 and the petitioners in Crl.O.P.No.9336 of 2023 are the first and second accused in Crime No.690 of 2019. Both the cases are case and counter case. Now, both the parties viz., respondent/complainant and petitioners/accused have settled their disputes out of court and

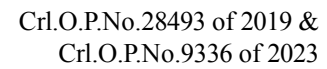


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compromised with each other and to that effect, they have also filed a Joint Compromise Memo, dated 20.03.2023, duly signed by the petitioners/accused, respondent/complainant and their respective counsel. They are present before this Court in person 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.P.Thomas David, Sub-Inspector of Police, P6 Kodungaiyur Police Station 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 147, 148, 294(b), 324, 506(2) and 3 of the Tamil Nadu Public Property (Prevt. Of Damage & Loss) Act, 1992 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.



Index : Yes/No
Internet : Yes/No
sms
To

1. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.



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V.SIVAGNANAM ,J.

sms

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