

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.14302 of 2015  
and MP.No.1 of 2015

1.Arul Nathan  
2.Elamvazhuthi  
3.Kausikan ..... Petitioners/Accused

Vs

1.The State, represented by  
Station House Officer,  
Thirupapuliyur Police Station,  
Cuddalore District.

2.Palanivel ..... Respondents/Complainant Defacto  
Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C.,  
praying to call for the records in PRC.No.15 of 2011 on the file of  
the Judicial Magistrate No.III, Cuddalore and quash the same as  
illegal.

For Petitioners : Mr.R.Sankarasubbu  
For Respondents : Mr.C.Emalias,  
Addl. Public Prosecutor [for R1]

O R D E R

This petition has been filed to quash the proceedings in  
PRC.No.15 of 2011 on the file of the Judicial Magistrate No.III,  
Cuddalore.

2. Heard the learned counsel for the petitioners and the  
learned Additional Public Prosecutor appearing for the 1<sup>st</sup>  
respondent and perused the materials placed on record.

3. On a complaint lodged by Palanivel, the respondent police  
registered a case in Crime No.731 of 2011 for offences under  
Section 147, 341, 294[b] and 307 IPC against the petitioners  
herein. After completing the investigation, the respondent police  
filed a Final Report, which was taken on file as PRC.No.15 of 2011  
and the same is pending. In the meanwhile, it is seen that the  
parties have arrived at an amicable settlement and that they have  
compromised the matter.

4. On a reading of the Final Report, it is seen that the incident had occurred during Panchayat elections and in order to restore amity between the warring groups in the village, the parties seem to have arrived at a compromise.

5. Today, Mr.D.S.Saravanan, Inspector of Police, Thirupapuliur Police Station, Cuddalore District is present. The defacto complainant /Palanivel and all the accused/petitioners herein are present before this Court and they have also been identified by the Inspector of Police. The defacto complainant has filed a supporting affidavit, wherein, in paragraph No.2, it is stated as follows:

"2. I submit that due to passage of time we were resolved our dispute that matter was resolved amicably by the elders of the locality as all inter related and living the same place. I further submit that the case is registered against the accused only election dispute and the case is pending for the 4 years only PRC.No.15 numbered 2011. If the matter was not resolved amicably the enmity will be increased in future. Hence we were resolved our dispute amicably by the elders. Hence, it is just and necessary that this Hon'ble Court may be pleased to quash the proceedings in PRC.No.15 of 2011 on the file of the Judicial Magistrate III, Cuddalore to secure the ends of justice.

Hence, it is prayed that this Hon'ble Court may be pleased to quash the proceedings in PRC.No.15 of 2011 on the file of the Judicial Magistrate III, Cuddalore to secure the ends of justice and thus render justice."

6. In view of the above, relying upon the judgment of the Hon'ble Supreme Court in Narinder Singh and Others Vs State of Punjab and Another reported in [2014] 6 SCC 466, the entire proceedings against all the accused in PRC.No.15 of 2011 is hereby quashed. Consequently, connected Miscellaneous Petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gya  
To

1.The Station House Officer,  
Thirupapuliur Police Station, Cuddalore District.

2. The Judicial Magistrate No.III, Cuddalore.

3.The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.R.Sankarasubbu, Advocate Sr.30432

CRL.OP.No.14302 of 2015

PUR(CO)

EU 30.06.15