

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:31.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.18732 of 2015

in

M.P.No.1 of 2015

1.M.Ravisankar
2.Subramanian
3.Mangayarkarasi
4.Palanichamy
5.Ramachandran
6.Kuppuswamy
7.Indira Gandhi
8.K.Senthil Kumar
9.Chinnaiyan
10.C.Arul
11.Ilayaperumal

... Petitioners

Vs

1.State by Inspector of Police,
Srimushnam Police Station,
Cuddalore District.
(Crime No.88 of 2014).

2.Muthaiyan

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime No.88 of 2014 on the file of the Inspector of Police, Srimushnam Police Station, Cuddalore District and quash the FIR in the above case.

For Petitioners :Mr.G.M.Sankar

For Respondents No.1 :Mr.C.Emalias
Additional Public Prosecutor
For R2 : Mr.R.Prabudoss

ORDER

This criminal original petition has been filed to call for the records in Crime No.88 of 2014 on the file of the Inspector of Police, Srimushnam Police Station, Cuddalore District and quash the FIR in the above case.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent.

3. On a complaint lodged by Muthaiyan, the first respondent police registered a case in Crime No.88 of 2014 on 01.05.2014 under Sections 147, 148, 294(b), 323, 324, and 506(ii) I.P.C. against 11 accused. It is the case of the defacto complainant that his buffalo had strayed into the land of his neighbour, on account of which, a quarrel ensued which normally, happens in the country side. Now, it appears that at the intervention of the elders in the village, the parties have arrived at a compromise. The defacto complainant is present before this Court and he has been identified by the respondent police. A Joint compromise memo has been filed by the accused and defacto complainant, in which, it is stated as follows;

" 4. It is humbly submits that the present application has been filed in the interest of justice and no prejudice will be caused to any of the parties if the present petition is allowed. Moreover the entire matter has been settled amicably between the parties in order to maintain friend relationship and considering peaceful and future life.

5. It is humbly submits that the petitioners and 2nd respondent humbly prayed that this Hon'ble Court may be pleased to call for records pertaining to the records in FIR in Crime No.88 of 2014 on the file of the first respondent and quash the same and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Chennai on this day of 15 July 2014."

4. In view of the settlement arrived at between the parties and in the light of the fact that normacyd prevails in the village, this Court is of the view that this is a fit case to quash the prosecution. Accordingly, the petition is allowed and the FIR in Crime No.88 of 2014 on the file of the Inspector of Police,

Srimushnam police station, Cuddalore District, is hereby quashed.
Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

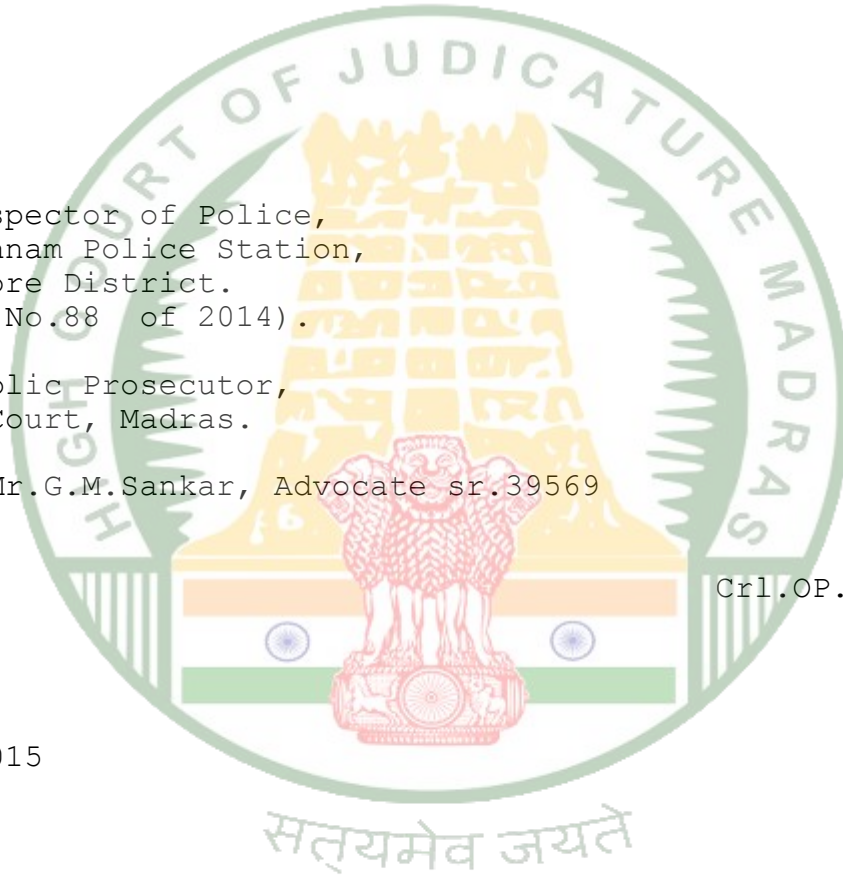
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To

1. The Inspector of Police,
Srimushnam Police Station,
Cuddalore District.
(Crime No.88 of 2014).
 2. The Public Prosecutor,
High Court, Madras.
- +1 cc to Mr.G.M.Sankar, Advocate sr.39569

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