



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P (MD) No.13997 of 2015

and

M.P (MD) Nos.1 & 2 of 2015

1.Vairavan  
2.Vinoth  
3.Karuppu  
4.Raja

... Petitioners/Accused Nos.1 to 4

-Vs-

1.The Inspector of Police,  
Devakottai Town Police Station,  
Devakottai,  
Sivagangai District.  
(Crime No.70 of 2013).

2.The Sub-Inspector of Police,  
Devakottai Town Police Station,  
Devakottai,  
Sivagangai District.

..Respondents/Complainant

3.Lakshmanan

..Respondent/Defacto Complainant

**PRAYER:-** Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 praying to call for the records relating to the impugned charge sheet dated 28.03.2013 in S.C.No.83 of 2014 on the file of the Subordinate and Assistant Sessions Judge, Devakottai and quash the same.

|                 |                                 |
|-----------------|---------------------------------|
| For Petitioners | : Mr.B.Muruganandam             |
| For RR 1 & 2    | : Mr.K.Anbarasan                |
|                 | Government Advocate (Crl. Side) |
| For R - 3       | : Mr.M.Veilkani Raju            |

### ORDER

This Criminal Original Petition has been filed to call for the records relating to the impugned charge sheet dated 28.03.2013 in S.C.No.83 of 2014 on the file of the Subordinate and Assistant Sessions Judge, Devakottai and quash the same.



2. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl.Side) appearing for the first and second respondents and the learned counsel appearing for the third respondent.

3. Both the petitioners and respondent No.3, being the de-facto complainant are very young.

4. The allegation is that the petitioners attacked the respondent No.3 in pursuant to a cricket match. Therefore, a case was registered in Crime No.70 of 2013 for the alleged offences under Sections 294(b) and 307 of the Indian Penal Code.

5. When the matter is taken up for hearing, learned counsel for both the parties submitted that there is no necessity to proceed with the case, in view of the compromise memo duly signed by the parties duly attested by their respective counsels. Apart from that, an affidavit has also been filed by the respondent No.3 stating that he has not interested to proceed further with the case, in view of the fact that the dispute between them is amicably settled.

6. The parties are also present especially the respondent No.3, who also reiterates the same.

7. Though the compromise memo and original affidavit have been filed as seen from U.S.R.Nos.2243 and 2244, the same is not available for the present and further in view of the submission made by the parties and this Court has also perused the copies of the compromise memo and affidavit produced by the counsel, this Court is inclined to quash the said proceedings.

8. Accordingly, this Criminal Original Petition is allowed and the proceedings in S.C.No.83 of 2014 on the file of the Subordinate and Assistant Sessions Judge, Devakottai is quashed. The said memo of compromise and affidavit are taken on record. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-  
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar



To

1.The Subordinate and Assistant Sessions Judge,  
Devakottai, Sivagangai District.

2.The Inspector of Police,  
Devakottai Town Police Station,  
Devakottai,  
Sivagangai District.

3.The Sub-Inspector of Police,  
Devakottai Town Police Station,  
Devakottai,  
Sivagangai District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+lcc to Mr.B.Muruganandam, Advocate Sr.No.42602

akm/18.08.15 /2p-6c/

**Cr1.O.P (MD) No.13997 of 2015**  
**and**  
**MP (MD) No.1 of 2015**  
**31.07.2015**