

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.20053 of 2016

1. Radha @ Radhakrishnan
 2. Byelaw Balu @ Balasubramani
 3. Balu Chettiar
 4. Nesapakkam Nagaraj @ Nagaraj
 5. R.Chinnadurai
 6. Black Anand @ Anand
 7. G.Palani
 8. N.Kumar
 9. Venkateswararao
 10. Malkarni
 11. Anbalagan
- Petitioners

Vs

1. State Represented by
The Inspector of Police,
R-8, Vadapalani Police Station, Chennai.

2. M.Kumaraswamy @ Pulavar Kumaraswamy .. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to accept the Compromise and Quash the Proceedings Pending against the Petitioner and others in Crime No.1497/2013 dated 27/12/2013 on the file of 1st respondent, Chennai.

For Petitioner : Mr.G.Devarajan
For R1 : Mr.C.Emalias
Additional Public Prosecutor
For R2 : Mr.K.Balasubramaniam
Mr.S.Parthiban

ORDER

This Criminal Original Petition has been filed to accept the compromise and quash the proceedings pending against the Petitioner and others in Crime No.1497/2013 dated 27/12/2013 on the file of 1st respondent, Chennai.

2. Today, Ms.K.Sujee, Inspector of Police, R-8, Vadapalani Police Station, Chennai is present and M.Kumaraswamy @ Pulavar Kumaraswamy is identified by his advocate Mr.K.Balasubramaniam (Enrl.No.3248/2010) who is present before this Court.

3. Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor appearing for the State and the learned counsel appearing for the second respondent.

4. On the complaint lodged by M.Kumaraswamy @ Pulavar Kumaraswamy, the respondent police registered a case in Cr.No.1497 of 2013 u/s 147, 148, 324, 326 and 506 (ii) IPC against 15 persons, challenging which the accused are before this Court to quash the prosecution on the ground that they have arrived at a compromise with the de facto complainant.

5. It appears that the parties belong to two factions in South India Cine and TV Drivers' Association. M.Kumaraswamy @ Pulavar Kumaraswamy, the second respondent/de-facto complainant and the petitioners have filed a joint compromise memo, wherein in paragraphs 2 to 5, it is stated as follows:-

"2. Based on the complaint lodged by the 2nd respondent the 1st respondent registered a FIR in Crime No.1497/2013 alleging offences u/s 147, 148, 324, 326 & 506(ii). During the pendency of the case considering the welfare of the members of the Association, the petitioner and 2nd respondent have resolved to settle the issue amicably and upon advice from the office bearers of M/s.South India Cine & TV Drivers' Association the 2nd respondent have decided not to proceed further in the above pending case against the petitioners.

3. The petitioners and the 2nd respondent/ de-facto complainant herein undertake and assure that each of them will not lodge any complaint against each other in future.

4. The 2nd respondent/de-facto complainant undertakes to withdraw the case against the petitioners in Crime No.1497/2013 pending on the file of the 1st respondent and undertakes to cooperate with the petitioners to quashing the criminal proceedings."

6. In view of the above, the FIR in Cr.No.1497 of 2013 is quashed as against all the accused, including those who have not approached this Court. The petitioners are directed to deposit costs of Rs.5000/- (Rupees Five Thousand only) to the Tamil Nadu State Judicial Academy, No.30 (90), P.S.K.R.Salai, Greenways Road, R.A.Puram, Chennai-28 within a period of two weeks from the date of receipt of a copy of this order.

7. In the result, this Criminal Original Petition is allowed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

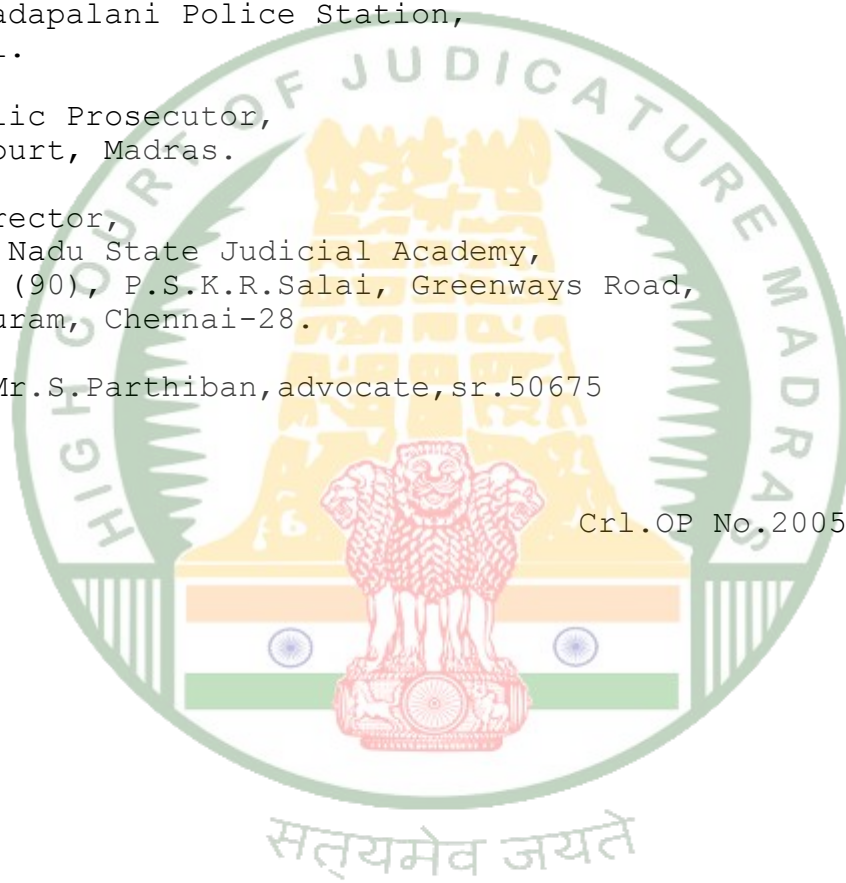
To

- 1.The Inspector of Police,
R-8, Vadapalani Police Station,
Chennai.
- 2.The Public Prosecutor,
High Court, Madras.
3. The Director,
Tamil Nadu State Judicial Academy,
No.30 (90), P.S.K.R.Salai, Greenways Road,
R.A.Puram, Chennai-28.

+1 cc to Mr.S.Parthiban,advocate,sr.50675

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