

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 04..10..2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition No.22058 of 2016

1.S.P.Senthilkumar

2.K.Selvam

3.Saravanan @ Mayesaravanan

4.Durai @ Pulidurai

5.M.Saravanan

.... Petitioners

-Versus-

1.State Rep. by

The Inspector of Police,
R-5, Virugambakkam Police Station,
Virugambakkam, Chennai.

2.N.Radha @ Radhakrishnan

.... Respondents

Prayer: This petition is filed under Section 482 Cr.P.C. praying to accept the compromise and quash the proceedings in Crime No.2523 of 2014 dated 11.11.2014 registered by the 1st respondent against the petitioners.

For Petitioner : Mr.K.Balasubramaniam

For Respondent(s) : Mr.C.Emalias, APP for R1

ORDER

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This petition has been filed seeking to quash the case in Crime No.2523 of 2014 pending on the file of the 1st respondent police against the petitioners.

2. On the complaint lodged by N.Radha @ Radhakrishnan, the 2nd respondent herein, the 1st respondent police has registered a case in Crime No.2523 of 2014 on 11.11.2014 for offences under Sections 147, 148, 294(b), 323 and 506(ii) of IPC against the petitioners herein and two others for quashing which the petitioners are before this court with this original petition on the ground that the parties have arrived at a compromise.

3. Today, Mr.Dhinakaran, Sub Inspector of Police, R-5, Virugambakkam Police Station, is present. 1st petitioner S.P.Senthilkumar and the 2nd respondent N.Radha @ Radha are also present in court. The 2nd respondent has filed a sworn affidavit, wherein in paragraphs 3, 4 and 5 it is stated as follows:-

"3. I submit that based on the complaint lodged by me the 1st respondent registered a F.I.R. in Crime No.2523 of 2014 U/s.147, 148, 294(b), 323 & 506(ii) of IPC. During the pendency of the case myself and the petitioners have compromised among us, that for the welfare of the Association we will work together. Since the issue has been settled amicably the pendency of the trial is unnecessary and therefore we have decided to move this Hon'ble Court for remedy. I further submit that myself and the petitioners have also entered into a joint compromise that we will withdraw the cases against us.

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4. I submit that the petitioners have also sworn a separate affidavit herein reports the compromise and seeking quash of the proceedings in Crime No.2523 of 2014 dated 11.11.2014 pending on the file of 1st respondent.

5. I submit that prima facie the issue was civil in nature, nevertheless the issue has been amicably settled between me and the petitioners and therefore, the pendency of the case would not serve any useful purpose."

4. The parties have also filed a joint compromise memo. The learned counsel for the petitioners submitted that the petitioners volunteer to pay some amount for the public cause.

5. In view of the above, this criminal original petition is allowed and the FIR in Crime No.2523 of 2014 on the file of the 1st respondent police is hereby quashed. The petitioners are directed to pay a sum of Rs.5,000/- to the Tamil Nadu State Judicial Academy, Chennai 600028 within a period of two weeks from the date of receipt of a copy of this order.

Kmk

-sd-

Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
R-5, Virugambakkam Police Station,
Virugambakkam, Chennai.

2.The Director, Tamil Nadu State Judicial Academy,
Chennai 600028.

3 The Public Prosecutor,
High Court, Madras.

C.C. to MR.K.BALASUBRAMANIAM Advocate SR.NO.57128

Crl.O.P.No.22058 of 2016

EV (CO)
VS 12.11.2016



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