

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2016

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.Nos.25097 and 25103 of 2016

1.Ravi @ Ravichandran

2.Thangavel

3.Suresh Babu

4.Madheswaran

5.Arthanari

6.Koolai Shanmugam @ Shanmugam

7.Senguttuvel

8.Gnanam @ Gnanaprakasam

9.Saravanan

10.Silambarasan

11.Ramachandran

.. Petitioners in
Crl.O.P.No.25097 of 2016

1.Prabakaran

2.Madhan

3.Sakthivel

4.Ramesh

5.Sakthivel

6.Chinnasamy

7.Sabarinathan

8.Natesan

.. Petitioners in
Crl.O.P.No.25103 of 2016

vs.

1.State rep. by

Sub-Inspector of Police,

Tiruchengode Town Police Station,

Tiruchengode.

(Cr.No.463 of 2015

& Cr.No.466 of 2015)

.. Respondent No.1 in both

Crl.O.Ps.

2.Sakthivel

.. Respondent No.2 in

Crl.O.P.No.25097 of 2016

3.Silambarasan

.. Respondent No.2 in

Crl.O.P.No.25103 of 2016

Criminal Original Petitions filed under Section 482, Cr.P.C.
Seeking to call for the records pertaining to the proceedings in
C.C.No.156 of 2016 and P.R.C.No.41 of 2016 respectively pending

on the file of the Judicial Magistrate, Tiruchengode and quash the same.

For Petitioner : M/s.G.Karthikeyan
in both Crl.O.Ps.

For Respondents : Mr.C.Emalias
in both Crl.O.Ps. Additional Public Prosecutor for R1

C O M M O N O R D E R

These Criminal Original Petitions have been filed seeking to quash the proceedings in C.C.No.156 of 2016 and P.R.C.No.41 of 2016 respectively pending on the file of the Judicial Magistrate, Tiruchengode.

2. On the complaint given by Sakthivel, the respondent police registered a case in Crime No.463/2015 on 13.10.2015 for the offences under Sections 147, 148, 294(b), 506(ii), 451, 324, 323 and 352 r/w. 149 IPC against Ravi and 10 others. On the complaint lodged by Silambarasan, the respondent police registered a case in Crime No.466 of 2015 for the offences under Sections 147, 148, 506(ii), 323, 324 r/w. 149 IPC and Section 3 (1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, against Prabhakaran and 7 others. Investigation in both the cases were completed and in Crime No.463 of 2015, the police had filed a charge sheet in C.C.No.156 of 2016 before the Judicial Magistrate, Tiruchengode for the aforesaid IPC offences. Similarly, in respect of Crime No.466 of 2015, investigation was completed and charge sheet has been filed before the Judicial Magistrate, Tiruchengode in P.R.C.No.41 of 2016 for the aforesaid IPC offences and for the offence under Section 3(1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

3. Sakthivel, who is the defacto complainant in C.C.No.156 of 2016, is the 3rd accused in P.R.C.No.41 of 2016. Silambarasan, who is the defacto complainant in P.R.C.No.41 of 2016 is the 10th accused in C.C.No.156 of 2016. Now it appears that both the parties have arrived at a compromise and they are before this Court for quashing of both the cases.

4. Mr.V.Sekaran, Special Sub Inspector of Police, Tiruchengode Town Police Station, Namakkal District is present before this Court. Sakthivel and Silambarasan are also present before this Court today and they are identified by Mr.V.Sekaran, Special Sub Inspector of Police, Tiruchengode Town Police Station, Namakkal District. Both Sakthivel and Silambarasan have filed individual affidavits dated 24.11.2016, wherein both of them have stated as follows:

"3. I submit that, since we all belong to same

area and other than ideological differences, we have no other enmity among us. We decided to compromise the matter among ourselves so that all of us could live in peace and amity. Since, the complainants in both the cases have decided not to pursue the complaint and the proceeding of the trial and the judgment whatever may be, will only aggravate the enmity between us. Except the quarrel which took place in the above case and counter, there is no other previous enmity among us and all of us would like to live peacefully."

5. In view of the above, both the Criminal Original Petitions are allowed and the prosecution in C.C.No.156 of 2016 and P.R.C.No.41 of 2016 pending on the file of the Judicial Magistrate, Tiruchengode, is hereby quashed against all the accused.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jvm

To

1.The Judicial Magistrate,
Tiruchengode,
Namakkal District.

2.The Sub-Inspector of Police,
Tiruchengode Town Police Station,
Tiruchengode.

3.The Public Prosecutor,
High Court, Madras

+lcc to Mr.G. Karthikeyan, Advocate, S.R.No.69355 & 69356

ak(CO)
cp(02/01/2017)

Cr1.O.P.Nos.25097 and 25103 of 2016