



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) Nos.14999 and 15000 of 2015
and
M.P.(MD).Nos.1,1,2 & 2 of 2015

Nachimuthu

... Petitioner/A1
in Crl.O.P.(MD).No.14999 of 2015

K.Tamilselvan

... Petitioner/A2
in Crl.O.P.(MD).No.15000 of 2015

-vs-

1. State represented by
The Sub Inspector of Police,
Pasupathipalayam Police Station,
Karur District.
(Crime No.115/2015)

... 1st Respondent/Complainant
in both cases

2. S.Yoganathan

... 2nd Respondent/Defacto Complainant
in both cases

Common Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the records in pursuant to charge sheet in C.C.No.173 of 2015 on the file of the Judicial Magistrate No.I, Karur dated 15.05.2015 and quash the same.

For Petitioner : Mr.S.Gokul Raj
in both cases

For R1 : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)
in both cases

For R2 : Mr.J.C.Rathinavel
in both cases

COMMON ORDER

These petitions have been filed seeking to quash the charge sheet in C.C.No.173 of 2015 on the file of the Judicial Magistrate No.I, Karur dated 15.05.2015.

<https://hcservices.ecourts.gov.in/hcservices/>

2. It is seen that the cases in Crime No.115 of 2015 for the



alleged offences under Sections 294(b) and 506(ii) IPC read with Section 3 and 4 of Tamil Nadu Prohibition Charging Exorbitant Interest Act, 2003, on the file of the 1st respondent police, have been registered against the accused persons in these petitions.

3. The second respondent/defacto complainant, in these petitions gave a complaint against the petitioners/A1 and A2 in Crime No.115 of 2015 alleging that due to money dispute between them, the accused persons entered into the house of the defacto complainant and threatened him and his family members with dire consequences, to settle the amount.

4. When the matter is taken up for hearing, the petitioners and the second respondent/defacto complainant in both petitions, appeared in person and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Crl.Side) through the respondent police.

5. Learned counsel appearing for the second respondent/defacto complainant in both cases would submit that the dispute between the parties was amicably settled out of the Court.

6. Further, learned counsel appearing for both parties filed separate joint memo of compromise dated 26.04.2016 in both petitions, duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the second respondent in both petitions has no objection to withdraw the charge sheet in C.C.No.173 of 2015 on the file of the Judicial Magistrate No.I, Karur dated 15.05.2015, in Crime No.115 of 2015, on the file of the first respondent police.

7. Hence, in view of the separate joint memo of compromise, dated 26.04.2016, this Court is of the opinion that it can safely be said that no useful purpose would be served in keeping the matter pending.

8. Accordingly, these Criminal Original Petitions are allowed and the entire proceedings in C.C.No.173 of 2015 on the file of the Judicial Magistrate No.I, Karur dated 15.05.2015, in Crime No.115 of 2015, on the file of the first respondent police, in respect of the petitioners/accused persons is hereby quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar



To

1. The Judicial Magistrate No.I,
Karur.

2. The Sub Inspector of Police,
Pasupathipalayam Police Station,
Karur District.

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

+1 cc to M/s.S.Gokulraj, Advocate in SR.No.51999

PJL

CSL/SS-2/29.09.2016: 3P/5C

Crl.O.P.(MD) Nos.14999 and
15000 of 2015
14.09.2016