



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2016

CORAM:

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) Nos.18743 and 18744 of 2016

In Crl.O.P. (MD) No.18743 of 2016:

1.Aruna
2.Mahalingam
3.Bhuvanasena
4.Chezhian @ Prassana
5.Suresh@Sureshkumar

.. Petitioners/A1 to A5

Vs.

1.State rep. by
The Inspector of Police,
Thirupathur Town Police Station,
Thirupathur,
Sivagangai District.

.. Respondent/complainant

2.Vetri Selvi

.. Respondent/ defacto complainant

Prayer: Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the proceedings in the charge sheet in C.C.No.227 of 2013 on the file of the learned District Munsif cum Judicial Magistrate, Thirupathur, Sivagangai District and quash the same.

For petitioner :Mr.V.Muthumani

For R1 : Mr.K.Anbarasan

Government Advocate (Crl. Side)

For R2 :Mr.R.Senthil Kumar

In Crl.O.P. (MD) No.18744 of 2016:

Vetri Selvi

.. Petitioner/Accused

Vs.

1.State rep. by
The Deputy Superintendent of Police,
Thirupathur Jurisdiction,
Thirupathur,
Sivagangai District.
(Crime No.10 of 2012)

.. Respondent/complainant

.. Respondent/ defacto complainant



For petitioner : Mr.R.Senthil Kumar
For R1 : Mr.K.Anbarasan
Government Advocate (Crl. Side)

For R2 : Mr.V.Muthumani

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Prayer: Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the proceedings in the Charge Sheet in S.C.No.75 of 2013 on the file of the learned Special Court for Prevention of Atrocity Act, Sivagangai and quash the same as against the petitioner.

COMMON ORDER

These petitions are filed seeking to quash the proceedings in charge sheet in C.C.No.227 of 2013 on the file of the learned District Munsif cum Judicial Magistrate, Thirupathur, Sivagangai District and charge sheet in S.C.No.75 of 2013 on the file of the Special Court for Prevention of Atrocities Act, Sivagangai, respectively. These two cases are case and case in counter. Therefore, they are taken up together for hearing and disposed of by common order.

2. Heard the learned Counsel on either side.

3. Based on the complaint given by the second respondent/defacto complainant namely, Vetriselvi, a charge sheet was filed against the petitioners in C.C.No.227 of 2013, for the offences under Sections 147, 448, 294(b) and 506(ii) IPC, on the file of the learned District Munsif cum Judicial Magistrate, Thirupathur, Sivagangai District. Further, based on the complaint given by the first petitioner, a case has been registered against the defacto complainant/Vetriselvi in S.C.No.75 of 2013, for the offences under Sections 341 and 506(ii) IPC read with Section 3(1) (x) SC/ST Act, on the file of the Special Court for Prevention of Atrocities Act, Sivagangai.

4. When the matter is taken up for hearing yesterday, the petitioners/A1 to A5 and the second respondent/defacto complainant, 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. They categorically made a statement that the dispute between them have been settled amicably out of the Court. They also filed a memo of compromise dated 19.09.2016 duly signed by both parties and counter signed by the learned Counsel. They would also further submit that they are ready to donate Rs.10,000/- to the Harijan Sevak Sangh.



5. In view of the above, this Court directed the parties to pay Rs.10,000/- to Tamil Nadu Harijan Sevak Sangh, N.M.R.Subbaraman Memorial Residential Primary School Campus, 12, Dr.Thangaraj Road, Vinayaga Nagar, Opposite to Madurai Law College, Madurai -20.

6. Today when the matter is taken up for hearing, the payment receipt has been filed. In view of the statements made by the parties and the compromise memo filed by them, no fruitful purpose will be achieved to proceed further in this matter.

7. In the result, these Criminal Original Petitions are allowed and the entire proceedings in C.C.No.227 of 2013 on the file of the learned District Munsif cum Judicial Magistrate, Thirupathur, Sivagangai District and S.C.No.75 of 2013 on the file of the Special Court for Prevention of Atrocities Act, Sivagangai are quashed.

Sd/
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1.The District Munsif cum Judicial Magistrate,
Thirupathur, Sivagangai District.

2.The Special Court for Prevention of Atrocities Act,Sivagangai.

3 The Deputy Superintendent of Police,
Thirupathur Jurisdiction,
Thirupathur,
Sivagangai District.

4 The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai

+1 cc to MR.V.MUTHMANI, Advocate Sr.No.58081

+1 cc to MR.R.SENTHIL KUMAR, Advocate Sr.NO.58082

Cr1.O.P.(MD)No.18743 and 18744 of 2016
29.09.2016

SMA/SKS-RR/19/10/2016 :3P/7C