



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) No.20449 of 2016

I.Sikkandar

.. Petitioner/Accused

Vs

1.The State represented by
The Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.416 of 2015)

... Respondent/Complainant

2.Vijayakumar

... Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying quash the charge sheet taken in C.C.No.74 of 2016 pending on the file of the learned Judicial Magistrate No.II, Madurai.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.K.Anbarasan
Government Advocate (Crl.Side)
for R1

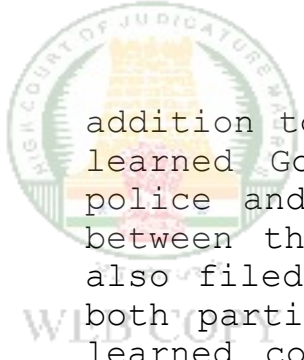
O R D E R

This petition has been filed to quash the Charge Sheet in C.C.No.74 of 2016 on the file of the learned Judicial Magistrate No.II, Madurai District.

2. Heard the learned Counsel for the petitioner, the learned Government Advocate (Crl.Side) appearing for the first respondent.

3. Based on the complaint given by the second respondent/defacto complainant, a case has been registered against the petitioner in Crime No.416 of 2015 for the offences under Section 304(A) of I.P.C., on the file of the first respondent and the same was taken on file as C.C.No.74 of 2016 on the file of the learned Judicial Magistrate No.II, Madurai District.

4. When the matter was called in the morning, both the petitioner as well as the second respondent are 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 and 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 11.10.2016, duly signed by both parties and counter signed by their respective Counsel. The learned counsel for the petitioner would further submit that the petitioner is willing to donate Rs.10,000/- to Harijan Sevak Sangh.

5. In view of the above, this Court permitted the petitioner 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 and the appearance of the parties is dispensed with.

6. When the matter is called in the afternoon, 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 view of the above, the Criminal Original Petition is allowed and the entire proceedings in Crime No.416 of 2015 for the offence under Section 304(A) of I.P.C., on the file of the first respondent and the consequential proceedings in C.C.No.74 of 2016 on the file of the learned Judicial Magistrate No.II, Madurai District is quashed.

Sd/-
Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.II, Madurai District.
- 2.The Inspector of Police,
Silaiman Police Station, Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.KANNAN, Advocate, SR No.64563

+1 CC to M/s.R.SARAVANAN, Advocate, SR No.63372

Crl.O.P.(MD) No.20449 of 2016
25.10.2016