



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.20765 of 2016

- 1.Murugesan
- 2.Sivaraman @ Sivaramalingam
- 3.Ramapandi
- 4.Malaiyandi .. Petitioners/Accused Nos.1,8,9 & 20

Vs.

- 1.State represented by
The Inspector of Police,
Elanjambur Police Station,
Ramanathapuram District.
Cr.No.86/2016. ... Respondent/Complainant
- 2.Rajendran ... Respondent/*Defacto* Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to call for the records relating to the case in Crime No.86 of 2016 on the file of the first respondent/complainant in respect of the petitioners/accused herein and quash the same.

For Petitioners : Mr.R.Venkateswaran

For Respondent No.1 : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

For Respondent No.2 : Mr.S.Sivabalan

O R D E R

This petition has been filed to quash the First Information Report registered in Crime No.86 of 2016 on the file of the first respondent.

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

3. Based on the complaint given by the second respondent/*defacto* complainant, the first respondent registered a case in Crime No.86 of 2016 against the petitioners and others for the offences punishable under Sections 147, 148, 294 (b), 341, 323, 336, 506(ii) and 307 IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992.



Pursuant to the registration of case, the petitioners, who are arrayed as Accused Nos.1,8, 9 and 20, have been arrested and remanded to judicial custody and now, they are lodged in Sub Jail, Mudukulathur.

4. When the matter was taken up for hearing, the learned counsel for the petitioners submitted that the petitioners have agreed to donate a sum of Rs.50,000/- (Rupees Fifty Thousand only) to Rajaji Home for the Aged and they have also produced a demand draft drawn on Indian Bank on 26.10.2016. The second respondent through counsel appeared and he has no objection to quash the First Information Report. A joint compromise memo has also been filed to that effect.

5. In view of the above statements made by the parties and the compromise memo filed by them, no fruitful purpose will be achieved to proceed further in this matter.

6. In view of the above, the Criminal Original Petition is allowed and the First Information Report registered in Crime No.86 of 2016 on the file of the first respondent, is quashed. The Superintendent, Sub Jail, Mudukulathur is directed to release the petitioners forthwith, if they are not required in connection with any other case.

Sd/-

Assistant Registrar (CS I)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Elanjambur Police Station,
Ramanathapuram District.

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

3.The Superintendent,
Sub Jail,
Mudukulathur.

+1 CC TO Mr.R.Venkateswaran, Advocate in SR No.64097

Order made in

Cr1.O.P.(MD) No.20765 of 2016

Dated: 26.10.2016