



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2016

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.3505 of 2016

WEB COPY

1.P.Ayappan

2.K.Kalidas @ Kaleeswaran
rep.by his natural guardian
father Kambathu Perumal

3.R.Ranjith

4.S.Anandhu

... Petitioners

vs.

1.The State rep.by
The Sub-Inspector of Police
Aayakudi Police Station
Dindigul District
(Crime No.51 of 2016) ... 1st Respondent/ Complainant

2.N.Valangairaja
rep.by his natural guardian
mother Selvarani) ... 2nd Respondent / De facto Complainant

PRAYER: This petition is filed under Section 482 Cr.P.C., to call for the records relating to the proceedings in Crime No.51 of 2016, on the file of the Sub-Inspector of Police, Aayakudi Police Station, Dindigul and quash all further proceedings as against these petitioners.

For Petitioner : Mr.V.B.Sundareshwaran

For Respondents: Mrs.S.Prabha, G.A.(Crl.Side) for R1
Mr.V.Nagenthiran for R2

O R D E R

The petitioners have filed this criminal original petition, under Section 482 of the Code of Criminal Procedure, seeking quashment of the proceedings in Crime No.51 of 2016, on the file of the first respondent in their respect.

2. On 26.02.2016, this Court has passed the following order:

"This petition has been filed seeking to quash the case registered in Cr.No.51 of 2016 on the file of the Sub-Inspector of Police, Aayakudi Police Station, Dindigul District and quash all further proceedings as against these petitioners.



2. It is seen that on 08.02.2016, at about 08.30 p.m, the defacto complainant and his friend one Satheesh Prabu were studying in their home, at that time, they heard noise in front of their house. They came out from the house and enquired about the same. At that time, an altercation arose between the defacto complainant and the petitioners. Further, these petitioners attacked the defacto complainant and his friend Satheesh Prabu, on account of which, the defacto complainant sustained injury on his forehead and shoulder and was admitted to the hospital. The Police went to the hospital on receiving information and obtained a statement from the defacto complainant and registered a case against these petitioners for offences under Sections 147, 294(b), 323 I.P.C in Cr.No.51 of 2016.

3. Now, it appears that the parties have amicably settled their issues. When this matter is taken up for hearing, the petitioners / accused and the de facto complainant / second respondent, 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 Government Advocate (Crl.Side) through the respondent Police.

4. The counsel appearing for the petitioners / accused filed this quash petition along with a Joint Memo of Compromise, dated 24.02.2016, duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the de facto complainant / second respondent has agreed for quashing of the above case pending in Cr.No.51 of 2016 on the file of the Sub-Inspector of Police, Aayakudi Police Station, Dindigul District.

5. It is seen that the accused are youngsters aged around 19 years. This Court finds that if the accused are let off just like that, the propensity in them to commit serious offences will increase, as they will be emboldened to take up crime as career. Therefore, this Court directs the petitioners to report before the Trustee, Gandhi Ashram Tiruchengode on 02.04.2016 and take part in the activities of Ashram till 20.04.2016. After receipt of the report from the Trustee of the Gandhi Ashram, Tiruchengode, further orders will be passed by this Court in this petition.

Call on **25.04.2016.**"

3. Today, when the matter is taken up for hearing, P.Ayyappan, R.Karidas & Kaleeswaran and R.Ranjith / petitioners 1 to 3 herein are present and they submitted that they reported before the



Trustee, Gandhi Ashram, Tiruchengode from 02.04.2016 till 20.04.2016 as per the directions issued by this Court and learnt several things.

4. It appears that S.Anandhu / fourth petitioner herein did not comply with the Orders passed by this Court.

5. Under such circumstances, the proceedings in Crime No.51 of 2016, on the file of the first respondent, are quashed in respect of P.Ayyappan, K.Kalidas @ Kaleeswaran and R.Ranjith / petitioners 1 to 3 herein alone. As regards S.Anandhu / fourth petitioner is concerned, since he did not comply with the Orders passed by this Court, the investigation in Crime No.51 of 2016 shall proceed as against him.

6. Accordingly, this criminal original petition is partly allowed to the extent as stated above on the basis of the compromise entered into between the parties. The joint compromise memo, dated 22.02.2016, shall form part of this Order.

Sd/-

Assistant Registrar(Crl.Side)

/True copy/

Sub Assistant Registrar

Madurai Bench of Madras High Court,
Madurai.

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To

1.The Sub-Inspector of Police,
Aayakudi Police Station,
Dindigul District.

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

rg.JGB-SS/ 09.05.2016 3p/3c
Encl:copy of Joint compromise memo

Crl.O.P.(MD) No.3505 of 2016
25.04.2016
(2/2)