

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.25933 of 2017 &
Crl.M.P.Nos.14952 & 14953 of 2017

1.Kandiyappan @ Kandeepan
2.Chandra
3.Thiyagu
4.Venkatesh
5.MGR

.. Petitioners/Accused 1 to 5

Vs.

1.The State Rep. by Inspector of Police,
Thalaivasal Police Station,
Salem District.
(Crime No.398/2015) .. 1st Respondent/Complainant

2.Dhilip .. 2nd Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482
Cr.P.C. praying to call for the records pending on the file of
the learned Assistant Sessions Judge, Attur, Salem District in
S.C.No.195/2016 and quash the Criminal proceedings.

For Petitioners : Mr.D. Dayalan

For Respondent 1 : Mr.C. Iyyapparaj
Additional Public Prosecutor

For Respondent 2 : Mr.E. Kannadasan

O R D E R

This petition has been filed seeking to quash the
proceedings in S.C.No.195/2016 on the file of learned Assistant
Sessions Judge, Attur, Salem District.

2.Pending Criminal Original Petition, the defacto
complainant and the petitioners have amicably resolved the
dispute among themselves and accordingly, they have entered into
a compromise and filed a joint compromise memo, dated
30.11.2017 before this Court.

3. Today, the defacto complainant and the petitioners are
personally present before this Court and they have been

identified by their counsel on record. The counsel for the parties have submitted the photo copies of the parties in respect of Aadhar Cards viz., Kandiyappan @ Kandeepan - Aadhar No.971273039593, Chandra - Aadhar No.992477507898, Thiyaagu - Aadhar No.731264311234, Venkatesh - Aadhar No.900899745357, MGR - Aadhar No.498018335289 and Dhilip - Aadhar No.528543296957 and after verification of the original cards, the same were also recorded.

4. The defacto complainant has also filed an affidavit, dated 30.11.2017 to the effect that the defacto complainant has no objection, if the present Criminal Original Petition is allowed.

5. In view of the above submissions made on either side and taking into account, the compromise entered into between the parties, the proceedings in S.C.No.195/2016 on the file of learned Assistant Sessions Judge, Attur, Salem District is hereby quashed.

6. The affidavit, dated 30.11.2017 filed by the defacto complainant/Dhilip, is hereby recorded. The Criminal Original Petition is allowed. The affidavit, dated 30.11.2017 shall form part of the order. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

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To

1.The Assistant Sessions Judge,
Attur, Salem District

2.The Inspector of Police,
Thalaivasal Police Station,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

+1 Cc to Mr.D. Dayalan, Advocate sr 85325.

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SP(15/12/2017)