



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.04.2017

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.10376 of 2014
and
M.P.(MD)No.1 of 2014

- 1.Ramasamy
- 2.Selvam
- 3.Packiaraj
- 4.Arun Prasad
- 5.Senthil
- 6.Rajkumar

: Petitioners/Accused No.1 to 6
-vs-

1. State Rep by,
The Sub Inspector of Police,
Andipatti Police Station,
Theni District.
(Crime No.27 of 2014)

:1st Respondent/Complainant

2. Chinnaramasamy,
S/o, Narayanasamy,
Nachiyarpuram,
Rengasamudram Post,
Theni District.

: 2nd Respondent/De-facto
Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records pertaining to the first information report in Crime No.27 of 2014 on the file of the 1st respondent herein and quash the same.

For Petitioners :Mr.G.Ganeshkumar
For Respondent No.1 :Mr.A.P.Balasubramani
Government Advocate (Crl.side)
For Respondent No.2 :Mr.K.Suresh

O R D E R

On the complaint lodged by one Chinnaramasamy / 2nd respondent, the first respondent police registered a case on 15.01.2014 in Crime No. 27 of 2014 for offences under Sections 147,323 & 506(ii) of the Indian Penal Code against the petitioners, challenging which, the petitioners have filed the present quash application on the ground that there are no charges against them in the FIR. At the time of admission, this Court had passed the following order, on 11.06.2014:



"Notice to the second respondent returnable by three weeks. For filing of final report alone is stayed, otherwise investigation may go on. Post after three weeks."

During the pendency of this quash application, it is represented that the accused and the De-facto Complainant had arrived at a compromise on 17.04.2017.

2. Today, when the matter is taken up for hearing, Mr.K.Rajendran, Special Sub Inspector of Police, Andipatti Police Station, Theni District, is present in Court. The defacto complainant is present and the accused are also present. The identifications of the accused were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Criminal side) through Mr.K.Rajendran, Special Sub Inspector of Police, Andipatti Police Station, Theni District.

3. The petitioners and the second respondent have filed an affidavit along with a joint compromise memo dated 17.04.2017, in which, it has been stated as follows:

"3.The petitioners submit that while pending the investigation, the petitioner filed a quash petition before this Court and obtained interim order not to file final report and in the meantime both the accused herein and the 2nd respondent herein settled the matter out of Court, at instance of the elder of both family since they are belongs to same village, and now they filed memo of compromise to quash the case in Crime NO.27 of 2014 on the file of the 1st respondent herein.

4.The petitioners submit that the 2nd respondent/De-facto Complainant do not want to proceed the case further against petitioners herein."

4. In view of the affidavit dated 17.04.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, this petition is allowed and the FIR in Crime No.27 of 2014 pending on the file of the respondent police in respect of all the accused are hereby quashed. The affidavit along with a compromise memo dated 17.04.2017 shall form part of this order. Consequently, connected M.P.(MD)No.1 of 2014 is closed.

5.At the instance of the learned counsel for the petitioners, the petitioners themselves voluntarily came forward to contribute some amount for the purpose of removal of Karuvelam Trees.

6.Accepting the submission, the petitioners are directed to pay a sum of Rs.500/- (Rupees Five Hundred only) each (totally Rs.1000/-) and Rs.3000/- (Rupees Three Thousand only), to the credit of Indian Bank Savings Account No.6514082295, operated by the Registrar (Administration), Madurai Bench of Madras High Court, Madurai, for



the purpose of removal of Karuvelam Trees, within a period of two weeks from today. After making payment, a copy of the challan shall be furnished to the Registrar (Administration), Madurai Bench of Madras High Court, Madurai.

WEB COPY

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To:

1. The Sub Inspector of Police,
Andipatti Police Station,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
3. The Registrar (Administration),
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.G.Ganeshkumar, Advocate SR.No. 52718

Order made in
Cr1.O.P.(MD) No.10376 of 2014
Dated: 19.04.2017

JM/JC/04.05.2017/3P/5C