



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2017

CORAM:

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

CrI.O.P. (MD) No.1806 of 2017

1. Madurai Saravanan @ Saravanan @ Saravana Pandi
2. Sivakali @ Muthu Sivakali ... Petitioners/A1 & A2

-vs-

- 1.The State Rep. by
The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District. ... 1st Respondent/Complainant
2. Selvam ... 2nd Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to call for the records pertaining to Crime No.82 of 2017 on the file of the 1st respondent and quash the same and thus render justice.

For Petitioner	:	Mr.D.Venkatesh
For R1	:	Mr.K.Anbarasan
		Govt. Advocate (CrI.Side)
For R2	:	Mr.T.Lenin Kumar

O R D E R

This petition has been filed, seeking to call for the records pertaining to Crime No.82 of 2017 on the file of the 1st respondent and quash the same.

2. It is seen that a case in Crime No.82 of 2017 for the alleged offences under Sections 294(b), 427 and 506(i) IPC has been registered against the petitioners/accused.

3. When the matter is taken up for hearing, the petitioners/accused and the second respondent, appeared in persons and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the Government Advocate (CrI.Side) through the respondent Police. Learned counsel appearing for the parties also endorsed the identify of their respective parties and submitted that both the parties have arrived at a compromise. In support of the same, Selvam / defacto complainant has filed an affidavit, wherein in



Paragraph No.3, it is stated as follows:

3. I submit that during pendency of the above case, as per the advice of well-wishers of my family and my family elders, we have amicably settled the issue among ourselves. Since we got compromise, I agreed to say no objection for quashing the case as against the petitioners. Therefore, I don't want to continue the criminal proceedings in Crime No.82 of 2017, on the file of the 1st respondent as against the petitioners and I agree to quash the above case as against the petitioners. In view of the same, this Hon'ble Court may be pleased to quash the proceedings in Crime No.82 of 2017, on the file of the 1st respondent or otherwise I will be put to irreparable loss and hardship, on the other hand the 1st respondent will be no way prejudiced, if the case is quashed."

4. In view of the above, 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 entire proceedings in Crime No.82 of 2017 on the file of the 1st respondent in respect of all the accused are hereby quashed. The affidavit of the defacto complainant dated 12.02.2017 shall form part of this order.

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 Seemai Karuvelam Trees.

6. Accepting the submission, each of the petitioner is directed to pay a sum of Rs.500/- (Rupees Five Hundred 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 Seemai Karuvelam Trees, within a period of two weeks from the date of receipt of a copy of this order. After making payment, a copy of the challan shall be furnished to the Registrar (Administration), Madurai Bench of Madras High Court, Madurai.

Sd/-

Assistant Registrar(CS-II)

/True copy/

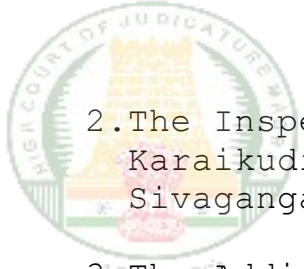
Sub Assistant Registrar

To:

Encl:Xerox copy of Affidavit of defacto complainant

1.The Registrar (Administration),

<https://hcserv.madcourts.gov.in/Reserve> of Madras High Court,
Madurai.



2.The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.

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

+1 cc to Mr.D.Venkatesh , Advocate in SR.No. 53676

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AE/SV/09.05.2017/3P/5C

Cr1.O.P. (MD) No.1806 of 2017
20.04.2017