



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2017

CORAM

WEB COPY

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

Crl.O.P. (MD) No.2318 of 2017

1.Muthuramalingam
2.Subash
3.Vallinayagam
4.Kommbaiah
5.Suresh
6.Anandh

: Petitioners/Accused Nos.1 to 6
-vs-

1.State through the Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.
in Crime No.79 of 2015. :1st Respondent/Complainant

2.Kannammal : 2nd Respondent/Defacto
complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to record he compromise memo dated 24.02.2017 and to quash the criminal case in SC No.707/2016 dated 17.12.2015 on the file of the Principal District and Sessions Court, Tirunelveli as far as all the petitioners/accused are concerned.

For Petitioners : Mr.K.R.Laxman
For Respondent No.1 : Mr.A.P.BalaSubramani,
Government Advocate (Crl.side)
For Respondent No.2 : Mr.B.Saravanan

O R D E R

On the complaint lodged by one Kannammal/2nd respondent, the first respondent police registered a case in Crime No.79 of 2015 and after completing the investigation, has filed a final report in S.C.No.707 of 2016, before the learned Principal District and Sessions Court, Tirunelveli, for offences under Sections 147, 148, 294(b), 323, 324, 506(ii) of the Indian Penal Code and Section 3 (1) of the TNPPDL Act against the petitioners, challenging which, the accused and the defacto complainant are before this Court for quashing the proceedings in S.C.No.707 of 2016 against the petitioners on the ground that they have arrived at a compromise.



2. Today, when the matter is taken up for hearing, Ms.G.Vellammal, Sub Inspector of Police, Vijayanarayanam Police Station, Tirunelveli District, is present in Court. The *defacto* complainant is present and the accused are also present and their identifications 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 Ms.G.Vellammal Sub Inspector of Police, Vijayanarayanam Police Station, Tirunelveli District.

3. The petitioners and the second respondent have filed an affidavit dated 01.03.2017, in which, it has been stated as follows:

"6. That the petitioners states that themselves and the 2nd respondent are relatives, wherein due to matrimonial dispute between the 1st petitioner and the 2nd respondent, there was a wordy quarrel on the date of occurrence which resulted in the present criminal case; however, now, in order to prevail peace among our family and relatives, the 2nd respondent herein without any pressure or influence, hereby entered into a compromise with the petitioners, only in order to save our family integrity, harmony and peace and have entered into the present compromise memo."

4. In view of the affidavit dated 01.03.2017, 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 entire proceedings in S.C.No.707 of 2016, pending on the file of the learned Principal District and Sessions Court, Tirunelveli, in respect of all the accused are hereby quashed. The affidavit dated 01.03.2017 shall form part of this order. However, the petitioners are directed to pay a sum of Rs.1,000/- (Rupees One Thousand only) **each**, to the Curator, Gandhi Museum, Madurai, within a period of two weeks from today.

5. Post the matter on 05.04.2017 **"for reporting compliance"**.

Sd/-

Assistant Registrar(CO)

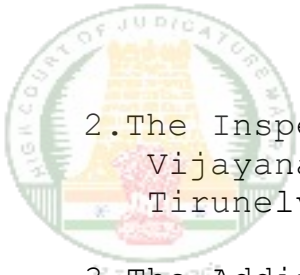
/True Copy/

Sub Assistant Registrar

To:

1.The Principal District and Sessions Court,

<https://hcservices.courts.gov.in/hcservices/>



2.The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.

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

Copy to :

The curator,
Gandhi Museum, Madurai.

RR

JS/MR/4/04/2014/SAR.3/3P-5C

Order made in
CrI.O.P.(MD) No.2318 of 2017

Dated: 20.03.2017