



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2017

CORAM

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

Crl.O.P.(MD) No.2606 of 2017

Esakkiraja @ Esakkidurai : Petitioner/Accused

-vs-

1.The State

By The Inspector of Police,
Surandai Police Station,
Tirunelveli District.

: 1st Respondent/Complainant

2.Ramesh

: 2nd Respondent/Defacto Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure, praying to call for the records pertaining to Crime No.37 of 2016 on the file of the 1st respondent and to quash the same.

For Petitioner : Mr.D.Venkatesh

For 1st Respondent : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

For 2nd Respondent : Mr.P.Mani Anandh

O R D E R

On the complaint lodged by the second respondent, the first respondent registered a case in Crime No.37 of 2016 under Sections 341 and 323 of the Indian Penal Code against the petitioner, to quash which, both parties are present before this Court on the ground that they have arrived at the compromise.

2. Today, when the matter was taken up for hearing, Mr.Kudalarasan, Special Sub-Inspector of Police, Surandai Police Station, Tirunelveli District, is present. Both parties are also present before this Court and their identifications were verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Criminal side) through Mr.Kudalarasan, Special Sub-Inspector of Police, Surandai Police Station, Tirunelveli District.



3. The petitioner and the second respondent have filed a joint compromise memo dated 28.02.2016, wherein, they have stated as follows:

"2. The 2nd respondent and the petitioner due to the advice of their village and community elders have amicably arrived for a settlement. Based on the same, the above quash petition was filed before this Hon'ble Court, seeking to quash the proceedings in Crime No.37 of 2016."

4. In view of the joint memo of compromise dated 28.02.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending.

5. Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties and the entire proceedings in Crime No.37 of 2016 on the file of the 1st respondent are hereby quashed on condition that the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as cost to the School for Deaf and Dumb, Opposite to Palayamkottai Central Prison, Thiruvananthapuram Road, Tirunelveli within a period of one week from the date of receipt of a copy of this order and file a memo in the Registry. The joint compromise memo dated 28.02.2017 shall form part of this order.

Sd/
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar.

Encl: Joint Compromise memo dated 28.02.2017

To:

1. The Inspector of Police,
Surandai Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. The Officer in charge,
School for Deaf and Dumb,
Opposite to Palayamkottai Central Prison,
Thiruvananthapuram Road, Tirunelveli.

+1CC to M/S.D.Venkatesh, Advocate, SR.No. 14473

Order made in
Crl.O.P.(MD) No.2606 of 2017
10.03.2017