



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.2874 of 2017

- 1.S.Madasamy
- 2.Palpandi
- 3.Mohammed @ Mohammed Khan
- 4.Balu @ Baluchamy @ Paulraj
- 5.Esakkipandi
- 6.Arumugam
- 7.Sorimuthu
- 8.Arumugam

: Petitioners/Accused Nos.1 to 8

-vs-

1. State Rep. by
The Sub-Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
Crime No.292 of 2014

: 1st Respondent/Complainant

2. Pooranam

: 2nd Respondent/Defacto Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure, praying to record the compromise reached between Petitioners/Accused No.1 to 8 and 2nd Respondent/De-facto Complainant and call for the records in PRC No.128/2016 on the file of the Judicial Magistrate Court No.V and quash the same as illegal and violation of law.

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

O R D E R

On the complaint lodged by the second respondent, the first respondent registered a case in Crime No.292 of 2014 under Sections 147, 148, 294(b) and 506(ii) of the Indian Penal Code and Section 4 of TNPH Women Act r/w Section 3 of TNPPDL Act and Section 149 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.

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

2.It is seen that the defacto complainant and accused are close



relatives and that they had damaged the house door of the defacto complainant.

3.Today, when the matter was taken up for hearing, Mr.S.M.Sebastin, Special Sub-Inspector of Police, Melapalayam Police Station, Tirunelveli City, 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.S.M.Sebastin, Special Sub-Inspector of Police, Melapalayam Police Station, Tirunelveli City.

4. The petitioners and the second respondent have filed a joint compromise memo dated 08.03.2017, wherein, they have stated as follows:

"2.It is submitted that the Petitioners/Accused No.1 to 8 and the De-facto Complainant entered into a compromise and amicably settled the issue out of the Court. Further, the De-facto Complainant has no objection to quash the Charge Sheet registered in PRC No.128/2016 on the file of the Judicial Magistrate Court No.V, Tirunelveli, against the Petitioners/Accused No.1 to 8.

3.It is submitted that as per the complaint totally 9 accused person in the F.I.R. The Respondent Police has filed the Charge Sheet against the above Petitioners 1 to 8/Accused No.1 to 8. The Petitioner's who arrayed as an accused has amicably settled the matter with the Respondent No.2/De-facto Complainant."

5.In view of the joint memo of compromise dated 08.03.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending.

6.Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties and the entire proceedings in P.R.C. No.128 of 2016 on the file of the Judicial Magistrate Court No.V, Tirunelveli are hereby quashed on condition that the petitioners shall pay a sum of Rs.1,000/- (Rupees One Thousand only) each (Totally Rs.1,000/- x 8 = Rs.8,000/- (Rupees Eight Thousand only) as cost to Mahatma Gandhi Museum, Madurai, 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 08.03.2017 shall form part of this order.

Sd/-
Assistant Registrar (CS-II)

/True Copy/



To:

1. The Judicial Magistrate No.V, Tirunelveli.

2. The Sub-Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.

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

4. The Curator,
Mahatma Gandhi Museum,
Madurai.

+ 2 CC TO Mr.A.ANANDAN, ADVOCATE IN SR No. 15338

SJ

TE/SKN : 03/04/2017 : 3P/7C

Order made in
Crl.O.P.(MD) No.2874 of 2017
15.03.2017