



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2017

CORAM:

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

Crl.O.P. (MD) No.2876 of 2017

1. Elangovan
2. Arumugam
3. Andavar
4. Nagananthagopal @ Nanthagopal
5. Murugan
6. Selvam
7. Jegan
8. Karuppaiah
9. Raja

... Petitioners/A1 to A9

-vs-

1. State Rep. by
The Sub-Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
(in Crime No.15 of 2012)

... 1st Respondent/Complainant

2. Pon Raja Singh ... 2nd Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to call for the records in P.R.C.No. 7 of 2013 in Crime No.15 of 2012 on the file of the learned Judicial Magistrate, Nilakottai and quash the same.

For Petitioners : Mr.S.Muniyandi
For R1 : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)
For R2 : Mr.J.Jeya Aron Raja

O R D E R

This petition has been filed, seeking to call for the records in P.R.C.No. 7 of 2013 in Crime No.15 of 2012 on the file of the learned Judicial Magistrate, Nilakottai and quash the same.

2. It is seen that a case in Crime No.15 of 2012 for the alleged offences under Sections 147, 148, 294(b), 324, 506(ii) and 307 IPC has been registered against the petitioners/accused. After completion of the investigation, the 1st respondent Police filed a charge sheet in PRC No.7 of 2013 on the file of the learned Judicial Magistrate, Nilakottai.



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 (Crl.Side) through the respondent Police attached to the Pattiveeranpatti Police Station, Dindigul District..

4. Under normal circumstances, the offence under Section 307 IPC cannot be quashed on the ground that the parties have arrived at a compromise. However, in this case, it is seen that it is a case in counter and the incident had taken place on account of the clash between the family members and now, on the intervention of the elders, peace is prevailing in the area. That apart, injuries suffered by the victims on both sides are not very grave and in this case, two persons were injured, namely, Soundrapandian and Udhayakumar, who are present before this Court and they have also filed an affidavit stating that they have no objection in the prosecution being quashed.

5. 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 PRC No.7 of 2013 on the file of the learned Judicial Magistrate, Nilakottai in respect of all the accused including those who are not before this Court are hereby quashed. The joint compromise memo dated 20.04.2017, duly signed by the injured persons shall form part of this order.

6. 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.

7. 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

/True Copy/



To:

1. The Registrar (Administration),
Madurai Bench of Madras High Court, Madurai.

2. The Judicial Magistrate, Nilakottai

3. The Sub-Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.

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

+1 cc to M/S.S.MUNIYANDI, ADVOCATE IN SR No. 53329

Ar

CSL/BS/SAR-IV/10.05.2017 : 3P/6C

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