



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2017

CORAM

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

Crl.O.P.(MD) No.3111 of 2017

Selva @ Siva

: Petitioner/Accused

-vs-

1.State Rep. by the
Sub Inspector of Police,
Sakkottai Police Station,
Karaikudi Taluk,
Sivagangai District.
(In Crime No.4 of 2016).

2.Nelliyan : Respondents/Complainant/Defacto Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to accept this compromise memo and quash the proceeding in C.C.No.50 of 2016, in Crime No.4 of 2016 pending before the learned Judicial Magistrate, Karaikudi and quash the same as illegal and arbitrary.

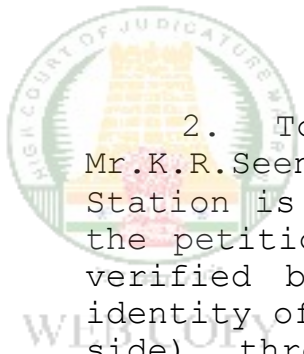
For Petitioner : Mr.K.Baalasundharam

For Respondent No.1 : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

For Respondent No.2 :Mr.ST.Sasidharan Tamilkani

O R D E R

On the complaint lodged by one Nelliyan, the respondent police registered a case in Crime No.4 of 2016 and after completion of investigation, has filed a final report in C.C.No.50 of 2016, before the learned Judicial Magistrate, Karaikudi, for offences under Sections 294(b) and 506(i) of the Indian Penal Code against the petitioner, for quashing which, the petitioner and the defacto complainant are before this Court for quashing the final report laid against the petitioner on the ground that they have arrived at a compromise.



2. Today, when the matter is taken up for hearing, Mr.K.R.Seeni, Special Sub-Inspector of Police, Sakkottai Police Station is present in Court. The *defacto* complainant is present and the petitioner is 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 Mr.K.R.Seeni, Special Sub-Inspector of Police, Sakkottai Police Station.

3. The petitioner and the second respondent have filed a joint compromise memo, in which, it has been stated as follows:

"2. It is submitted that petitioner and the *defacto* complainant agreed to settle the issue in C.C.No.50 of 2016 in Cr.No.4 of 2016 by arriving at a compromise since the petitioner and *defacto* complainant reside in the same locality in the village.

3. It is submitted that the petitioner and the 2nd respondent in the interest of their welfare and to establish peace they have agreed to compromise themselves at the instance of the family elders and villagers and have forgiven the differences of opinion to settle the issue which was initiated by the *defacto* complainant against the petitioner.

4. It is submitted that the 2nd respondent/*defacto* complainant has no objection to quash in C.C.No.50 of 2016 pending before the Judicial Magistrate in Cr.No.4 of 2016."

4. In view of the joint memo of compromise, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, the entire proceedings in C.C.No.50 of 2016 on the file of the learned Judicial Magistrate, Karaikudi, in respect of the petitioner/accused, are hereby quashed.

5. Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties. The joint compromise memo shall form part of this order.

SD/-

ASSISTANT REGISTRAR(P&A)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To:

1.The Judicial Magistrate,
Karaikudi.

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

2.-Do-thro The Chief udicial Magistrate, Sivagangai



3.The Sub Inspector of Police,
Sakkottai Police Station,
Karaikudi Taluk,
Sivagangai District.

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

+1 cc to Mr.S.T.SASITHARAN TAMILKANI,ADVOCATE,SR NO.15849

+1 CC TO MR.K.BAALASUNDHARAM,ADVOCATE,SR NO.16137

SML

MAS/RR/SAR3:04.04.2017:3P-7C

Order made in
Cr1.O.P. (MD) No.3111 of 2017
20.03.2017