



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.04.2017
CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD)No.3132 of 2017

WEB COPY

1.Madhavi
2.Muthuvel

... Petitioners /Accused 1 & 2

Vs.

1. State represented by
The Inspector of Police,
Kovilpatti west Police Station,
Kovilpatti,
Tuticorin District.
(Crime No. 718 of 2014)

... Respondent / Claimant

2. Adinarayanan.

... 2nd Respondent/ Defacto Complainant

Prayer:Criminal Original Petition is filed under Section 482 of Cr.P.C, to quash the Charge sheet in C.C.No.335 of 2015 dated 22.08.2015, on the file of the Judicial Magistrate No.II, Kovilpatti, Tuticorin District.

For Petitioner
For R 1

: M/s.A.S.Sangeetha
: Mr.A.P.Balasubramani
Government Advocate (Cr1.side)

O R D E R

On the complaint lodged by the second respondent, the first respondent registered a case in Crime No.718 of 2014 and after completing the investigation, has filed a charged sheet in C.C.No.335 of 2015 before the learned Judicial Magistrate No.II, Kovilpatti against the petitioners herein for the offences under Sections 451, 294 (b), 494 and 506 (ii) of I.P.C., challenging which, the accused are before this Court on the ground that they are arrived at a compromise with the de-facto complainant.

2. Today, when the matter was taken up for hearing, Mr.V.Perumal Samy Special Sub Inspector of Police, Kovilpatti West Police Station, Thoothukudi District is present. The petitioners/accused and the de-facto complainant are 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.V.Perumal Samy Special Sub Inspector of Police, Kovilpatti West Police Station.



3. The petitioners and the second respondent have filed a joint compromise memo dated 16.03.2017, wherein, it is stated as follows:

"2. It is submitted that the de-facto complainant and the petitioners settled their disputes amicably at the intervention of village elders. Now, they are living amicably and peacefully.

In the above circumstances, it is most respectfully prayed that this Hon'ble Court may be pleased to record the Compromise and quash the charge sheet in C.C.No.335 of 2015 pending on the file of the Judicial Magistrate No.II, Kovilpatti, Tuticorin District and consequently, quash the above said charge sheet and thus render justice."

4. 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 C.C.No.335 of 2015 on the file of the Judicial Magistrate No.II, Kovilpatti, Tuticorin District in respect of all the accused including those who are not before this Court are hereby quashed. The joint compromise memo dated 16.03.2017 shall form part of this order.

5. 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.

6. Accepting the submission, the petitioners are directed to pay a sum of Rs.1000/- (Rupees One Thousand only) **each**, 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 today. After making payment, a copy of the challan shall be furnished to the Registrar (Administration), Madurai Bench of Madras High Cour, Madurai.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

Encl:Xerox copy of the Joint Compromise Memo dated 16.03.2017

To

1. The Judicial Magistrate No.II,

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

Kovilpatti,

Tuticorin District.



2. The Chief Judicial Magistrate,
Tuticorin.

3. The Inspector of Police,
Kovilpatti west Police Station,
Kovilpatti,
Tuticorin District.

4. The Additional Public Prosecutor,
Madurai bench of Madras High court, Madurai-23.

Copy to:

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

AKV/DAS

PSM/SV-MMS/SAR3/27.04.2017/3P/6C

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