

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 21.03.2017****CORAM:****THE HON'BLE Mr.JUSTICE P.N.PRAKASH****Crl.O.P. (MD) No.3163 of 2017**

- 1.C.Subramani
- 2.Parameswaran
- 3.Arun
- 4.Praveen
- 5.Balasubramaani
- 6.Boopalan
- 7.Selvam
- 8.Karthik Raja
- 9.Balakrishna Murali
- 10.Sivakumar

... Petitioners/Accused No.1 to 10
Vs.

- 1.The State,
Rep.by Inspector of Police,
Pasupathipalayam Police Station,
Karur. (Crime No.745 of 2016) ...1st Respondent/Complainant

- 2.K.N.Subramanian ...2nd Respondent/Defacto Complainant
- Prayer:** Petition filed under Section 482 of Code of Criminal Procedure, to quash the FIR in Crime No.745 of 2016 dated 23.11.2016 pending on the file of the 1st respondent Police.

For Petitioner : Mr.G.Thalaimutharasu
For Respondent : Mr.A.P.Balasubramani, G.A.(Crl.side)

O R D E R

This Criminal Original petition has been filed to quash the FIR in Crime No.745 of 2016 dated 23.11.2016.

2.On the complaint lodged by K.N.Subramani, son of Nachiappa Gounder, the 1st respondent Police registered a case in Crime No.745 of 2016 on 23.11.2016 under Sections 147, 148, 294(b), 341, 324 and 506(ii) and 3(1) of TNPPDL Act against the petitioners herein. Challenging the same, the petitioners are before this Court for quashing the FIR on the ground that the parties have entered into compromise.

3.Today the de facto complainant and all the accused persons are present before this Court. They are identified by Mr.G.Thalaimutharasu, learned counsel for the petitioners and Mr.K.Ramachandran, learned counsel for the de facto complainant.

4.The de facto complainant's advocate Mr.K.Ramachandran has also filed an affidavit of identification and this Court has also identified the accused and the de facto complainant.

5.The compromise memo, which has been filed by both the



parties, reads as under:

"2.The petitioners humbly submit that the 1st respondent registered the case against the petitioners for the offence under Section 147, 148, 294(b), 341, 324 and 506(ii) IPC and Section 3(1) of Prevention of Damage to Public Property Act, 1984 based on the complaint lodged by the 2nd respondent herein.

3.It is further submitted that after the above said occurrence, the family members and friends of the petitioners and the 2nd respondent compromised the issue. Under these circumstances the petitioners as well as the 2nd respondent entered into compromise and hence the 2nd respondent not pressed the criminal case pending against the petitioners on the file of the 1st respondent and to that effect the joint compromise memo has been filed. Therefore, this Hon'ble Court may be pleased to accept this Compromise Memo and pass appropriate orders."

6.In view of the above, the FIR in Crime No.745 of 2016 is hereby quashed and this Criminal Original petition is allowed and each of the petitioners are directed to pay Rs.1,000/- to the Removal of Karuvelam Trees Fund in Savings Bank Account No.6514082295, Indian Bank, Madurai Bench of Madras High Court Branch, Madurai, within a period of one week from the date of receipt of a copy of this order and produced the proof payment before the Registry along with a memo.

7.It is represented that at the time of release on bail, some of the petitioners have deposited Rs.1 lakhs before the Judicial Magistrate No.I, Karur. In view of the quashing of the FIR, the petitioners are entitled to withdraw the said amount.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Pasupathipalayam Police Station,
Karur.

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

+1cc to M/s. G.THALAIMUTHARASU Advocate in SR. No.16404
NBJ

JS/SKN/PSK/SAP.2/10.04.2017/3P-4C

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

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