



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2017

CORAM

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

Crl.O.P. (MD) No.3350 of 2017

1.Sulthan
2.Navashan
3.Ayubkan
4.Amanullakan
5.Ali Akbar

: Petitioners/Accused Nos. 1 to 5

-vs-

1.State rep. by,
The Inspector of Police,
Illayangudi Police Station,
Sivagangai District.
(Crime No.142 of 2014).

: Respondent/Complainant

2.N.N.I.Jeyadhukani

: Respondents/ Defacto Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records in Crime No.142 of 2014 on the file of the Inspector of Police, Illayangudi Police Station, Sivagangai District and quash the same.

For Petitioners	:	Mr.K.P.S.Palanivel Rajan
For Respondent No.1	:	Mr.A.P.Balasubramani, Government Advocate (Crl.side)
For Respondent No.2	:	Mr.B.Jamil Arasu

O R D E R

On the complaint lodged by the second respondent, the first respondent police registered a case in Crime No.142 of 2014, under Sections 147, 148, 294(b) and 506(ii) of the Indian Penal Code against the petitioners herein, for quashing which, the petitioners and the defacto complainant are before this Court on the ground that they have arrived at a compromise.

2. The defacto complainant is present and he was identified by his counsel Mr.S.Ramakrishnan, Enrolment No.3570/2016. The accused are also present and they were identified by their Counsel



Mr.K.P.S.Palanivel Rajan, Enrolment No.294/1997.

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

"3.They submit that elders of the Villagers advised both parties to go friendly and forgive the mistakes each other and advised to develop good harmony each other. At the advise of the elders, there was a compromise talk went on and as per the village elders and relatives advice both parties came to a compromise. On that basis of the compromise, the second respondent expressed and willing to withdraw the criminal proceeding being against the petitioners and he does not want to prosecute the case further more and want a peaceful atmosphere and develop harmony among ourselves.

4. They submit that the dispute was settled between the parties and the parties had compromised the matter amicably.

Therefore the petitioners and the 2nd respondent herein respectfully pray that this Hon'ble Court may be pleased to quash the Crime No.142 of 2014 on the file of the Inspector of Police, Illayangudi Police Station, Sivagangai District based on this Joint compromise memo to be filed by them and thus render justice."

4. In view of the joint compromise memo, 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 Crime No.142 of 2014 on the file of the first respondent police in respect of all the accused including those who are not before this Court are hereby quashed. The joint compromise memo 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 Karuvelam Trees.

6. Accepting the submission, the petitioners are directed to pay a sum of Rs.500/- (Rupees Five Hundred 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 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.



7. Post the matter on 06.04.2017 "**for reporting compliance**".

Sd/-

Assistant Registrar(RECORDS)

/True Copy/

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Sub Assistant Registrar

To:

- 1.The Inspector of Police,
Illayangudi Police Station,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The Registrar(Administration)
Madurai Bench of Madras High Court,
Madurai.

Copy to : The Section Officer,
VR Section,

Madurai Bench of Madras High Court, Madurai.

+1cc to M/s. K.P.S.PALANIVEL RAJAN Advocate in SR. No.17485

SML

JS/MR/SAR.2/3P-6C/28.03.2017

Order made in

Crl.O.P. (MD) No.3350 of 2017

Dated: 23.03.2017

(1/3)