



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No. 3475 of 2017

Ramar : Petitioner / Sole Accused

-Vs-

1. The Inspector of Police,
B3, Theppakulam Police Station,
In Crime No.43/2016,
Madurai District. : Respondent/Complainant
2. R. Shanthi : Respondent/Defacto
Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to call for records relating to the FIR in Crime No.43/2016 on the file of the first respondent and quash the same and thus render justice.

For Petitioners : Mr.M.Subash Babu
For Respondents : Mr.A.P.Balasubramani
Government Advocate (Crl.side)
for R.1

O R D E R

On the complaint lodged by second respondent, the first respondent police has registered a case in Crime No.43/2016 for the offences under Sections 294(b) and 506(i) of I.P.C. 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. Today, when the matter was taken up for hearing, Mr.Isaac Samuvel, Special Sub-Inspector of Police, B3 Theppakualm Police Station, Madurai District is present. The *defacto* complainant is present and all the other petitioners 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.Isaac Samuvel, Special Sub-Inspector of Police, B3 Theppakualm Police Station, Madurai District.



3. The petitioners and the second respondent have filed a joint compromise memo dated 25.07.2016, wherein, it is stated as follows:

"1. The petitioner submits that now he as well as the second respondent are arrived compromise and amicably settled the issue out of court with the help of elders and relatives. Further the petitioner and the defacto complainant are relative and belonging to the same area, there is no serious motive behind them. Since the matter has been settled amicably the second respondent have no objection for quashing the FIR in Crime No.43/2016 on the file of the respondent 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 Crime No. 43/2016 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 dated 25.07.2016 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.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 Court, Madurai.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
B3, Theppakulam Police Station,
In Crime No.43/2016,
Madurai District.



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

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

+1cc to Mr.M.Subash Babu, Advocate Sr.No.50851

SSL

VB/KP/19.04.2017/3P/5C

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Dated: 06.04.2017