



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2017

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

Crl.O.P.(MD) No.3548 of 2017

B.Ranjith Kumar : Petitioner

-vs-

1.The State by,
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.243 of 2016) : 1st Respondent/Complainant

2. V.Arunkumar,
S/o Viswanathan,
C.B.Colony,
Tirupattur Road,
Sivagangai,
Sivagangai District. : 2nd Respondent/De facto
Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records pertaining to the above case in Crime No.243 of 2016 on the file of the first respondent herein and quash the same in so far as this petitioner/A1 is concerned.

For Petitioner : Mr.E.Somasundaram
For Respondents : Mr.K.Anbarasan for R1
Government Advocate (Crl.side)
: Mr.S.Sathya Chidambaram for R2

O R D E R

On the complaint lodged by one V.Arunkumar/2nd respondent, the first respondent police registered a case in Crime No.243 of 2016 for offences under Sections 147, 148, 341, 294(b), **(*)323, 324, 307** & 506(ii) of the Indian Penal Code against the petitioner, challenging which, the accused and the *defacto* complainant are before this Court for quashing the FIR against the petitioner on the ground that they have arrived at a compromise.

2. Today, when the matter is taken up for hearing, Mr.R.Leone Mohan Roy, Special Sub-Inspector of Police, Sivagangai Town, Sivagangai, is present in Court. The *defacto* complainant is present and the accused are also present. The identifications of



the accused 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.R.Leone Mohan Roy, Special Sub-Inspector of Police, Sivagangai Town, Sivangangai District.

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3. The petitioner and the second respondent have filed an affidavit along with a joint compromise memo dated 22.03.2017, in which, it has been stated as follows:

"4.It is further submitted that after filing of the above quash petition, the family elders of this petitioner and also family elders of the defacto complainant made efforts to compromise the above matter more fully both the parties are residing in the locality and are relatives as stated above and hence a compromise has been arrived and the joint memo of compromise is also filed herewith."

4. Apart from the 2nd respondent, one other person, namely, Kannan has also suffered injuries in this case. Kannan is also present and he has also filed an affidavit, which is as follows:

"3. I respectfully state that I had simple pain therefore I admitted in Government Hospital, Sivagangai. The Doctor stated that I has sustained Simple Injury.

4. I respectfully state that from the childhood onwards all the petitioner/accused and his friends. Hence, I compromised with the petitioner/accused and filed this affidavit to quash the First Information Report and thus render justice".

5. In view of the affidavit filed along with the compromise memo dated 22.03.2017, 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 FIR in Crime No.243 of 2016 pending on the file of the respondent police in respect of all the accused are hereby quashed. The affidavit along with a compromise memo dated 22.03.2017 shall form part of this order.

6.At the instance of the learned counsel for the petitioner, the petitioner themselves voluntarily came forward to contribute some amount for the purpose of removal of Karuvelam Trees.

7.Accepting the submission, the petitioner is directed to pay a sum of Rs.500/- (Rupees Five Hundred only), to the credit of Indian Bank Savings Account No.6514082295, operated by the Revenue Department, 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 Court, Madurai.

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Sd/-

Assistant Registrar (CSII)

**(*) AMENDED AS PER ORDER DATED
05/06/2017 MADE IN CRL.OP (MD) NO.3548/2017**

/True Copy/

Sub-Assistant Registrar

**(*) JOINT COMPROMISE MEMO AND THE AFFIDAVIT OF Mr.KANNAN
XEROX COPIES ARE ENCLOSED HERewith**

To:

(*) TO BE SUBSTITUTED TO THE ORDER ALREADY DESPATCHED ON 10.05.2017

1.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

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

Copy to:-

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

+One cc to Mr.S.Sathya Chidambaram, Advocate, SR.No.58437

+One cc to Mr.E.Somasundaram, Advocate, SR.No.58438

Order made in

Crl.O.P. (MD) No.3548 of 2017

Dated: 17.04.2017

SMA/6C/3P/CM/SAR3/10.5.2017
RL/6C/3P/MR/SAR2/14.6.2017