



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2017

CORAM

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

Cr1.O.P. (MD) No.3791 of 2017

1.Marimuthu @ Marikumar
2.Lingam @ Lingasamy
3.Ponraj : Petitioners

-VS-

1.State Rep by,
The Inspector of Police,
South Police Station,
Tuticorin, Tuticorin District
(Crime No.242 of 2017)

2.R.Mani @ Manikandan
S/o.Ramasamy
2/523 A Madathoor,
Meelavittan
Tuticorin,
Tuticorin District : Respondents

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records pertaining to FIR in connection with Crime No.242 of 2017 on the file of the 1st respondent police and quash the same.

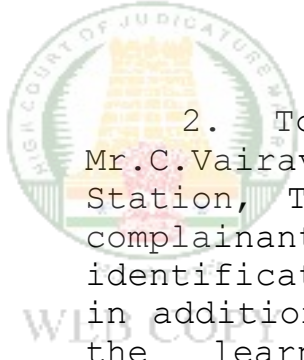
For Petitioners : Mr. S.Senthil Sankaranathakumar

For Respondent No.1 : Mr.A.P.Balasubramani
Government Advocate (Cr1.side)

For Respondent No.2 : Mr.T.Sathyanathan

O R D E R

On the complaint lodged by one R.Mani @ Manikandan/ 2nd respondent, the first respondent police registered a case in Crime No.242 of 2017 for offences under Sections 341, 294(b), 323, 324 & 506(i) of the Indian Penal Code against the petitioners, challenging which, the accused and the *defacto* complainant are before this Court for quashing the FIR against the petitioners on the ground that they have arrived at a compromise.



2. Today, when the matter is taken up for hearing, Mr.C.Vairavan, Special Sub Inspector of Police, South Police Station, Thoothukudi District, 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.C.Vairavan, Special Sub Inspector of Police, South Police Station, Thoothukudi

3. The petitioners and the second respondent have filed an affidavit along with a joint compromise memo dated 24.03.2017, in which, it has been stated as follows:

"Whereas at the intervention and mediation by the members of both families and their well wishers, the petitioners and 2nd respondent hereto were pacified and whereas both the parties hereto have resolved the issues. Whereas the 2nd respondent resolved not to proceed with the criminal case any further either against the petitioners.

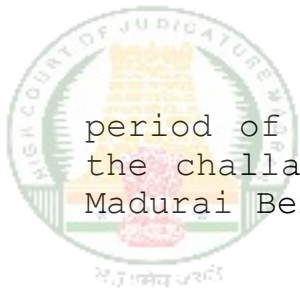
Whereas in the light of the above compromise, the parties hereto shall not interfere with their personal life of each other with any issue claim with regard to in this criminal case also. The party of the 2nd respondent is not interested to proceed with the criminal case in Crime No.242 of 2017 on the file of the Inspector of Police, South Police Station against the petitioners.

The 2nd respondent undertakes not to interest to proceed with the criminal case further any at any point of time against the petitioners herein."

4. In view of the affidavit dated 24.03.2017, 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.242 of 2017 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 24.03.2017 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 Karuvelam Trees.

6. Accepting the submission, the petitioners are directed to pay a sum of Rs.500/- (Rupees Five Hundred only) each (totally Rs.1,500/- Rupees One Thousand Five Hundred only), 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 Court, Madurai.

Sd/-

Assistant Registrar(CS-III)

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/True copy/

Sub Assistant Registrar

To:

Encl:Xerox copy of compromise memo

1.The Inspector of Police,
South Police Station,
Tuticorin, Tuticorin 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.

RR

AE/RR/20.04.2017/3P/4C

Order made in
Cr1.O.P. (MD) No.3791 of 2017
Dated: 04.04.2017