



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P. (MD) No.4138 of 2017

WEB COPY

1.Moorthy  
2.Karunanidhi  
3.Prabhakaran  
4.Karthikeyan

: Petitioners / Accused No.1 to 4

-Vs-

1.State, represented by  
The Inspector of Police,  
Srirangam station,  
Trichy City.

(Crime No. 221 of 2016) : Respondent/ Complainant

2.P.L.Kumar Raja : Respondent/ Defacto Complainant

**PRAYER:** Petition is filed under Section 482 of the Criminal Procedure Code to call for records pertaining to the FIR in Crime No.221 of 2016 on the file of the 1<sup>st</sup> respondent police and quash the same as illegal.

For Petitioners : Mr.T.Lenin Kumar

For R1 : Mr.K.Anbarasan  
Government Advocate (Crl. Side)

For R2 : Mr.P.Chellapandian

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O R D E R

On the complaint lodged by one P.L.Kumar Raja, the first respondent police has registered a case in Crime No. 221 of 2016 under Sections 341, 294(b), 323, 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. Today, when the matter was taken up for hearing, Inspector of Police, Srirangam Police Station, Trichy is present. The *defacto* complainant and the 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 Inspector of Police, Srirangam Police Station, Trichy District.



3. The petitioners and the second respondent have filed a joint compromise memo dated 03.04.2017, wherein, it is stated as follows:

"3. I submit that after registration of the FIR, both myself and the petitioners had a talk to each other and in the result of which both we decided to compromise the case amicably. Since the above case is personal in nature, I am not willing to proceed further with the case. Further, the said complaint was given out of misunderstanding between us. In the strength of the Compromise, the petitioners filed the above petition to quash the FIR. In support of the above said quash petition, I am filing this affidavit. A Joint compromise memo also filed along with this quash petition.

For the reasons stated above, it is prayed that this Court may be pleased to accept this affidavit and quash the FIR in Crime No.221 of 2016 on the file of the 1<sup>st</sup> respondent police and pass such further or other order as this Hon'ble Court may deem fit and proper in the circumstances of the case 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.221 of 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 03.04.2017 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 Seemai 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 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 (CS-II)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1. The Inspector of Police,  
Srirangam station,  
Trichy City.

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



COPY TO:

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

WEB COPY

+1 CC TO MR.T.LENIN KUMAR,ADVOCATE,SR NO.54018

am/tsg

MAS/JC:09.05.2017:3P-5C

Order made in  
CRL.O.P. (MD) No.4138 of 2017  
Dated: 25.04.2017