



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.04.2017
CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.4370 of 2017

1. Ariyappan Chettiar

2. Krishnamoorthy

3. Rajesh

4. Ravikumar

5. Paramasivam

6. Sureshmani

7. Konan

8. Ramesh

9. Karuppasamy

10. Pandiyaraj

11. Paramasivam : Petitioners/Accused Nos.1 to 11

Vs.

1. The State rep by
The Inspector of Police,
M.Reddiyapatti Police Station,
Virudhunagar District. : 1st Respondent/Complainant

2. Thangapandi,
S/o. Santhanam,
Maravar Street,
Maravar Perungudi,
Virudhunagar District. : 2nd Respondent/Defacto-Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records relating to the impugned charge sheet in S.T.C.No.2163 of 2016 on the file of the learned Judicial Magistrate, Aruppukottai and quash the same on the basis of joint compromise memo dated 07.02.2017.



For Petitioners : Mr.V.Sasi Kumar

For Respondent No 1 : Mr.K.Anbarasan
Government Advocate (Crl.side)

For Respondent No 2 : Mr.S.Sankar

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O R D E R

On the complaint lodged by one Thangapandi/2nd respondent, the first respondent police registered a case in Crime No.17/2016 for offences under Sections 147,341,294(b),323&506(ii) of the Indian Penal Code against the petitioners and on completing the investigation, filed chargesheet in S.T.C No.2163 of 2016, challenging which, the accused and the *defacto* complainant are before this Court for quashing the chargesheet against the petitioners on the ground that they have arrived at a compromise.

2. Today, when the matter is taken up for hearing, the Special Sub Inspector of Police, M.Reddiyapatti Police Station, Virudhunagar District is present before this 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 Special Sub Inspector of Police, Virudhunagar District.

3. The petitioners and the second respondent have filed an affidavit along with a joint compromise memo dated 03.04.2017, in which, it has been stated as follows:

"2.It is submitted that there was an enmity between us with respect to temple festival, which leads a quarrel and subsequently both of us have been settled the issue amicably and we, both of us have herby agreed to settle the criminal case amicably.

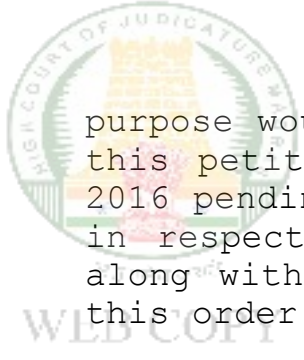
3.It is submitted that the *defacto* complainant agreed to quash the chargesheet in Crime No.2163 of 2016 on the file of the learned Judicial Magistrate, Aruppukottai and he doesn't want to proceed the criminal case as against the petitioners herein.

4.It is submitted that in the above said occurance is concerned one Karthik has sustained injuries and he also willing to drop the criminal case as against the petitioners herein.

5.This joint compromise memo has been entered between us without any thread or inducement and in order to lead a peaceful life, we have settled the issue amicably."

<https://hcservices.ecourts.gov.in/hcservices/>

4. In view of the affidavit filed along with the compromise memo dated 03.04.2017, 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 chargesheet in S.T.C.No.2163 of 2016 pending on the file of the Judicial Magistrate, Aruppukottai, in respect of all the accused are hereby quashed. The affidavit along with a 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 Karuvelam Trees.

6.Accepting the submission, the petitioners are directed to pay a sum of Rs.500/- (Rupees Five Hundred only) each (totally Rs.5,500/- Rupees Five 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(A.S)

/True copy/

Sub Assistant Registrar

To:

Encl:Xerox copy of Compromise memo

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

+1 cc to Mr.V.Sasikumar , Advocate in SR.No. 52142

MRN/RR

AE/RR/SAR3/27.04.2017/3P/5C