



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2017

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

Crl.O.P. (MD) No.4542 of 2017

and

Crl.M.P. (MD) No.3232 of 2017

Subbu

: Petitioner/Sole Accused

-vs-

1. State Rep by,
The Inspector of Police,
Kallikudi Police Station,
Madurai District.

(Crime No.50 of 2017)

: 1st Respondent/Complainant

2. Muthu

: 2nd Respondent/De-facto
Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records of the First Information Report in Crime No.50 of 2017 dated 22.02.2017 on the file of the first respondent police and quash the same.

For Petitioner

: Mr.S.J.Chakkravarthy

For Respondent No.1

: Mr.K.Anbarasan

Government Advocate (Crl.side)

O R D E R

On the complaint lodged by one Muthu/ 2nd respondent, the first respondent police registered a case in Crime No.50 of 2017 for offences under Sections 294(b), 429, 506(i) of the Indian Penal Code against the petitioner, challenging which, the accused and the *defacto* complainant is 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.S.Dayalan, Special Sub Inspector of Police, E-2 Kallikudi Police Station, Madurai District, is present in Court. The *defacto* complainant is present and the accused is also present. The identification of the accused was 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.S.Dayalan, Special Sub Inspector of Police, E-2 Kallikudi Police Station, Madurai District.

3. The petitioner and the second respondent have filed an affidavit along with a joint compromise memo dated 13.04.2017, in which, it has been stated as follows:

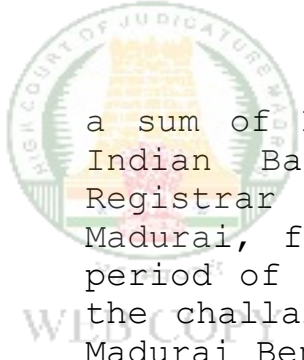
"The first party is the petitioner/Accused and the second party is the second respondent/De-facto complainant in the above CrI.O.P.No.4542 of 2017 on the file of this Court. The second party has laid a complaint on 22.02.2017 against the First party by alleging that the second party found the body of his three goats at the land of Pandi and he came to conclusion that the first party being the neighbour have committed mischief by killing his goats with the wrong conclusion and suspicion and the same was registered in Crime No.50 of 2017 dated 22.02.2017 for the offences under Section 294(b), 429 and 506(i) of I.P.C After the registration of the F.I.R. The second party came to know that the petitioner/sole accused is innocent and he has not committed such offences and the offences are being compoundable in nature. We have amicably settled our differences. Hence the joint Compromise Memo is filed by the first and second party. The second party aware of the contents of the above quash petition in CrI.O.P.No.4542 of 2017. Since the matter in issue is settled between the two parties, the second party has endorsed no objection for quashing the above Crime No.50 of 2017 on the file of the Kallikudi Police Station, Madurai District and the second party have accord his concurrence to pass order in favour of the petitioner in the above Criminal Original Petition."

4. In view of the affidavit dated 13.04.2017, 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 FIR in Crime No.50 of 2017 pending on the file of the respondent police in respect of the accused is hereby quashed. The affidavit along with a compromise memo dated 13.04.2017 shall form part of this order. Consequently, connected CrI.M.P(MD)No.3232 of 2017 is also closed.

5.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.

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

6.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 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 ()

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To:

1. The Inspector of Police,
Kallikudi Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:-

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

+ 1 CC TO Mr.S.J.CHAKKRAVARTHY, ADVOCATE IN SR No. 52405

MRN/RR
TE/MR : 02/05/2017 : 3P/5C

Order made in
CrI.O.P.(MD) No.4542 of 2017 and
CrI.M.P.(MD)No.3232 of 2017
Dated:18.04.2017