



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.5091 of 2017

Chinna Raja : Petitioner / Sole Accused

-Vs-

1.State, represented by
The Inspector of Police,
S.S.Colony Police Station,
Madurai City,
Madurai.

(Crime No. 153 of 2017)

: Respondent/ Complainant

2.Karthikeyan

: Respondent/ Defacto Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to call for records pertaining to the Crime No.153 of 2017 pending on the file of the 1st respondent police and quash the same as against the petitioners.

For Petitioners : Mr.J.Senthil Kumariah

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

For R2 : Mr.P.Prakash

ORDER

On the complaint lodged by one Chinna Raja, the first respondent police has registered a case in Crime No. 153 of 2017 under Sections 294(b), 497, 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, Mr.T.Pandi, Special Sub Inspector of Police, C.3.S.S.Colony Police Station, Madurai City, Madurai. is present. The defacto complainant and the petitioner 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 Mr.V.Alagar, Special

Sub Inspector of Police C.3.S.S.Colony Police Station, Madurai City, Madurai.

3. The petitioners and the second respondent have filed a joint compromise memo dated 21.04.2017, wherein, it is stated as follows:

"3. The Petitioner and 2nd respondent submitted that now the petitioner and the 2nd respondent arrived the settlement out of the Court and hereby the 2nd respondent give the undertaking that he did not want to pursue the complaint given to the 1st respondent. Hence, the FIR may be quashed.

Therefore it is prayed that this Court may be pleased to accept this Compromise memo and quash the crime No.153 of 2017 on the file of the 1st respondent police 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.153 of 2017 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 21.04.2017 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 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 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

/True copy/

Sub Assistant Registrar

To

Encl:Xerox copy of Compromise Memo

1.The Inspector of Police,
S.S.Colony Police Station,
Madurai City,
Madurai.

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

Am/tsg

AE/SV/09.05.2017/3P/4C

Order made in
CRL.O.P. (MD) No.5091 of 2017
Dated: 25.04.2017