



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2017

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No.5136 of 2017

R.Balasubramani : Petitioner/Sole Accused

-Vs-

1. The State through
The Inspector of Police,
C3, S.S.Colony Police Station (L&O),
Madurai.
(Cr.No. 1092 of 2014) : Respondent/ Complainant

2. K.Muniammal : Respondent/ De-facto Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to call for the records in Cr.No. 1092 of 2014 on the file of the 1st respondent and quash the same as as illegal.

For Petitioners : Mr.V.P.Rajan

For R1 : Mr..A.P.Balasubramani
Government Advocate (Crl. Side)

For R2 : Mr.Selvarathinam

O R D E R

On the complaint lodged by one K.Muniammal, the first respondent police has registered a case in Cr.No. 1092 of 2014 under Sections 294(b), 323, 506(i) of the Indian Penal Code and r/w Section 4 of Tamil Nadu Woman Harassment Act against the petitioner 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, C3, S.S.Colony Police Station (L&O), 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.T.Pandi, Special Sub Inspector of Police, C3, S.S.Colony Police Station (L&O),Madurai.

3.The petitioner and the second respondent have filed a joint compromise memo dated 12.04.2017, wherein, it is stated as follows:

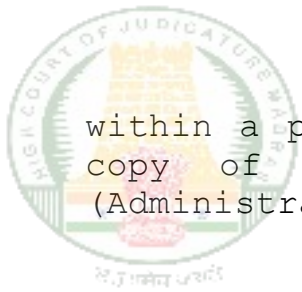
"It is submitted that the case was registered against the petitioner for the offence punishable under Sections 294(b), 323, 506(i) of the Indian Penal Code and r/w.4 of Tamil Nadu Woman Harassment Act on the complainant preferred by the 2nd respondent. The allegation against the petitioner abused the de-facto complainant and threatened with wooden log in connection with property dispute. The petitioner is none other than own brother of the de-facto complainant. Now the petitioner and the de-facto complainant entered into compromise in Cr.No. 1092 of 2014 with help of the elders. Since the offence mentioned in the FIR is compoundable, the de-facto complainant has no objection to quash the FIR registered against his own brother.

Under these circumstances that this Court may be pleased to accepting this compromise memo and quash the FIR in Cr.No. 1092 of 2014 on the file of the Inspector, C3, S.S.Colony Police Station, Madurai and pass such further or other order and may deemed fit in the facts and 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 Cr.No.1092 of 2014 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 12.04.2017 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.

WEB COPY

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
C3, S.S.Colony Police Station (L&O),
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.

+ 1 CC TO Mr.V.P.RAJAN, ADVOCATE IN SR No. 54411

AM/TSG

TE/JC : 15/05/2017 : 3P/5C

Order made in
CRL.O.P. (MD) No.5136 of 2017
Dated: 26.04.2017