



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD)No.5222 of 2017

1.Rajagopalan
2.Meenambal : Petitioners

-Vs-

1.State Represented by
the Inspector of Police,
Samayanallur Police Station,
Cr.No.394 of 2014,
Madurai District.

2.P.Arunkumar : Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to admit the quash petition and call for the records in Crime No.394 of 2014 on the file of the first respondent police.

For Petitioners : Mr.S.Lakshmanan

For Respondent No.1 : Mr.A.P.Balasubramani,
Government Advocate (Cr1.side)

For Respondent No.2 : M/s.A.Banumathy

O R D E R

On the complaint lodged by the second respondent, the first respondent has registered a case in Crime No.394 of 2014 on 07.12.2014 for offences under Sections 120(b), 406 and 420 of the Indian Penal Code against the petitioners herein, challenging 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, M/S.R.Meena, Head Constable, Samayanallur Police Station is present. The *defacto* complainant is present and the petitioners



are also 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 M/s.K.Meena, Head Constable, Samayanallur Police Station.

3. It is seen that the *defacto* complainant is none other than the son-in-law of the petitioners.

4. The petitioners and the second respondent have filed a joint compromise memo dated 18.04.2017, wherein, it is stated as follows:

"2. It is submitted that during the pendency of the criminal case a compromise was reached between the 2nd respondent/defacto complainant and the petitioners herein in the presence of mediators who are well wishers of our families. In the light of compromise we have decided to resolve the issues. The 2nd respondent has not proceeded with the criminal case any further either against the petitioners herein.

3. The petitioners as well as the 2nd respondent jointly submits that such compromise has been taken place purely with an intention to settle this case among them and it is purely voluntarily by the parties concerned. Hence, in order to avoid further investigation, they are preferred to be present before this Hon'ble Court whenever it is required. This Hon'ble Court by taking into consideration of the above said aspects with regard to the compromise and in the interest of the parties, can leniently look into present issue, as such the prayer sought for by the petitioners can be allowed."

5. 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.394 of 2014 on the file of the first respondent, in respect of all the accused including those who are not before this Court are hereby quashed. The joint compromise memo dated 18.04.2017 shall form part of this order.

6. 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.

7. 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)

WEB COPY

/True copy/

Sub Assistant Registrar

To

Encl:Xerox copy of Compromise Memo

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

2.The Inspector of Police,
Samayanallur Police Station,
Madurai District.

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

+1 cc to MR.A.Banumathy , Advocate in SR.No. 54798

+1 cc to Mr.S.Lakshmanan , Advocate in SR.No. 54520

SML

AE/SV/09.05.2017/3P/6c

Order made in
CRL.O.P. (MD) No.5222 of 2017
Dated: **27.04.2017**