



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2017

CORAM:

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD)No.5233 of 2017

1.Arokiadavit
2.Naikutti Nagaraj @ Nagarajan
3.Kumaraguru
4.Chellaiah
5.Syed
6.Ganesan
7.Raja Mohamed
8.Appas @ Sirajudeen : Petitioners

-Vs-

1.The State Represented by
the Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.312 of 2017).

2.Sheik Abdullah : Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to pass an order to call for the records for the First Information Report in Crime No.312 of 2017, dated 09.04.2017 on the file of the first respondent police and quash the same as illegal and devoid of merits.

For Petitioners : Mr.M.Jegadeesh Pandian

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

For Respondent No.2 : Mr.A.Nagarajan

O R D E R

On the complaint lodged by the second respondent, the first respondent has registered a case in Crime No.312 of 2017 on 09.04.2017 for offences under Sections 147, 294(b), 323 and 506 (ii) 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, Mr.R.Leon Mohanraj, Special Sub-Inspector of Police, Sivagangai Town 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 Mr.R.Leon Mohanraj, Special Sub-Inspector of Police, Sivagangai Town Police Station.

3. The petitioners and the second respondent have filed a joint compromise memo dated 25.04.2017, wherein, it is stated as follows:

"3. It is submitted that the petitioners and the 2nd respondent are became friends now, the 2nd respondent given the compliant under frustration. Now at the intervention of family elder they decided to not to precipitate the issue further and willing to withdraw the criminal case, since the case is pending before the 1st respondent, they moved the present quash petition along with the joint compromise memo.

4. Hence, the petitioners and the 2nd respondent are filing the joint compromise memo in support of their application seeking permission to quash the offences before this Hon'ble Court. This joint memo may be taken as part and parcel of their application to quash the offences after the permission of this Hon'ble Court."

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.312 of 2017 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 25.04.2017 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 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)

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/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,
Sivagangai Town Police Station,
Sivagangai District.

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

+2 cc to Mr.M.Jagadeesh Pandian , Advocate in SR.No. 54791
+1 cc to Mr.A.Nagarajan , Advocate in SR.No. 54792

SML

AE/SV/09.05.2017/3P/7C

Order made in
CRL.O.P. (MD) No.5233 of 2017
Dated: **27.04.2017**