



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2017

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

Crl.O.P.(MD) No.5537 of 2017

Kesavan @ Asaithambi

: Petitioner

-vs-

1.The State rep. by
the Inspector of Police,
Melur Police Station,
Melur, Madurai District.
in Crime No.418 of 2017

2.S.A.A.Baskaran

: Respondents

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records in Crime No.418 of 2017 on the file of the 1st respondent and quash the same.

For Petitioners	:	Mr.C.Sasikumar
For Respondent No.1	:	Mr.T.Mohan
		Addl. Public Prosecutor
For Respondent No.2	:	Mr.M.Iniyavan

O R D E R

On the complaint lodged by one S.A.A.Baskaran/2nd respondent, the first respondent police registered a case in Crime No.418 of 2017 for offences under Sections 294(b), and 506(i) of the Indian Penal Code against the petitioner, challenging which, the accused and the *defacto* complainant are before this Court for quashing the case in Crime No.418/2017 against the petitioner on the ground that they have arrived at a compromise.

2. Today, when the matter is taken up for hearing, Mr.D.Jothipandi, Sub Inspector of Police, Melur Police Station, Madurai District, is present in Court. The *defacto* complainant is present and the accused is 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.D.Jothi Pandi, Sub Inspector of Police, Melur Police Station, Madurai District.

3. The petitioner and the second respondent have filed a joint <https://hccs.cemil.com.in/memo> dated 27.04.2017, in which, it has been stated as follows:



"It is submitted that the petitioner and 2nd respondent are blood brother belonged to the same family. Pending investigation of the above criminal case, due to the invention of the village elders, the petitioners and the 2nd respondent entered into compromise and both had settled their dispute amicably. Moreover 2nd respondent had given lettter to withdraw his complaint, which lodged against the petitioner before the 1st respondent police. Therefore, the 2nd respondent did not want to proceed further the above criminal case pending investigation against the petitioner. The 2nd respondent hereby accept the quashing the FIR in Crime No.418 of 2017 on the file of the 1st respondent police, Melur."

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.418 of 2017 , pending on the file of the respondent police in respect of all the accused are hereby quashed. The joint compromise memo dated 27.04.2017 shall form part of this order. However, the petitioner is directed to pay a sum of Rs.2,500/- (Rupees Two Thousand five hundred only), to the M.S.Chellamuthu Trust and Research Foundation, No.643, K.K.Nagar, Madurai, within a period of two weeks from today.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

(*) COMPROMISE MEMO XEROX COPIES ENCLOSED HEREWITH

To:

1.The Inspector of Police,
Melur Police Station,
Madurai District.

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

Copy to:-

M.S.Chellamuthu Trust and Research Foundation,
No.643, K.K.Nagar, Madurai

RR

RL/4C/2P/SV/MMS/SAR1/16/6/2017

Order made in