



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WEB COPY

Cr1.O.P.(MD)No.6842 of 2017

1.Y.Augustin
2.S.Vallinayagam
3.S.Anandakumar

: Petitioners

-Vs-

1. The Inspector of Police,
Nazareth Police Station,
Tuticorin District.

: Respondent/Complainant

2.Stephen

: Respondent/Defacto
Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to call for the records pertaining to Crime No.94 of 2017 on the file of the first respondent police, Nazareth, Tuticorin District and quash the same.

For Petitioners : Mr.M.P.Senthil

For Respondent No.1 : Mr.K.Anbarasan,
Government Advocate (Cr1.side)

For Respondent No.2 : Mr.P.Chellapandian

ORDER

On the complaint lodged by Stephen, the first respondent police registered a case in Crime No.94 of 2017 on 14.05.2017 for offences under Sections 294(b) and 323 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.Swamidoss, Sub-Inspector of Police, Nazareth Police Station, Tuticorin District 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.Swamidoss, Sub-Inspector of Police, Nazareth Police Station, Tuticorin District.

3. The petitioners and the second respondent have filed a joint compromise memo dated 01.06.2017, wherein, it is stated as follows:



"2. In the meantime, the petitioners and the 2nd respondent entered into a compromise in the presence of elders. Based on the compromise, the 2nd respondent hereby agrees and says no objection for quashing the case registered against the petitioners in Crime No.94 of 2017 on the file of 1st respondent police.

3. The parties to the above proceeding has entered into the compromise memo after taking into consideration of their family peace as well as the entire disputes. The parties have further entered into the compromise memo only on their own volition.

4. Therefore, the parties herein jointly pray that this Hon'ble Court may be pleased to quash the proceedings in Crime No.94 of 2017 on the file of the 1st respondent police, Tuticorin. The 2nd respondent herein also filed a separate affidavit to that effect."

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.94 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 01.06.2017 shall form part of this order. However, the petitioners are directed to pay a sum of Rs.500/- (Rupees Five Hundred only) **each** to the Curator, Gandhi Museum, Madurai, within a period of two weeks from today.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Nazareth Police Station,
Tuticorin District.

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

Copy to
Gandhi Museum,
Madurai.

+1cc to Mr.M.P.Senthil , Advocate Sr.No.59480

SML

VB/KP/SAR1/05/07/2017/2P/5C