



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2017

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

Cr1.O.P. (MD) .No.7543 of 2017

Subramanian : Petitioner/Sole Accused

-Vs-

1. The Deputy Superintendent of Police,
Devakottai,
Sivagangai District.

2. The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.

(Crime No.490 of 2012). :1 and 2 Respondents/Complainants

3.Gandhi :3rd Respondent/Defacto Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records in connection with Crime No.490 of 2012 in S.C.No.14 of 2013 on the file of the District and Sessions (PCR) Court, Sivagangai and quash the same.

For Petitioner : Mr.S.M.Sanjay

For Respondents1&2 : Mr.K.Anbarasan,
Government Advocate (Cr1.side)

For Respondent No.3 : Mr.G.Thiruvavutselvan

O R D E R

On the complaint lodged by the third respondent-Gandhi, the respondent police registered a case in Crime No.490 of 2012 and after completing the investigation, have filed a final report in S.C.No.14 of 2013, before the District and Sessions (PCR) Court, Sivagangai, for offences under Sections 341, 294(b), 324, 506(ii) of the Indian Penal Code and 3(1)(x) of SC/ST Act, 1989 against the petitioner herein, for quashing which, the accused 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.M.Kannan, Special Sub-Inspector of Police, Devakottai Town Police Station is present. The *defacto* complainant is present and the petitioner 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.M.Kannan, Special Sub-Inspector of Police, Devakottai Town Police Station.

3. Under normal circumstances, a First Information Report registered under SC/ST Act cannot be quashed on the ground that the parties have arrived at a compromise. However, in this case, it is seen that the accused and the *defacto* complainant hail from the same village and at the intervention of elders, the matter appears to have been amicably settled. They have also filed a joint compromise memo 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 prosecution against the petitioner/sole accused in S.C.No.14 of 2013 is hereby quashed. The joint compromise memo shall form part of this order. However, the petitioner/sole accused is directed to pay a sum of Rs.1,000/- (Rupees One Thousand only) to the Curator, Gandhi Museum, Madurai, within a period of two weeks from today.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To:

Encl: Xerox Copy of Compromise memo

1.The District and Sessions (PCR) Court,
Sivagangai.

2.The Deputy Superintendent of Police,
Devakottai,
Sivagangai District.

3.The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.

4.The Additional Public Prosecutor,
Madurai.
Madurai.



5.The Curator, Gandhi Musem,
Madurai.

+1 cc to Mr.S.M.Sanjay , Advocate in SR.No. 61077

SML

AE/SKN RSK/SAR3/29.06.2017/3P/7C

Order made in
Cr1.O.P. (MD) No.7543 of 2017
Dated: **20.06.2017**