



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.07.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.7584 of 2017
and Crl.M.P.(MD) No. 5192 of 2017

Balakrishnan

... Petitioner/Accused No.1

-vs-

1.The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli.

2.State through the Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Alangulam Sub Division,
Tirunelveli District.

3.State through the Inspector of Police,
Pappakudi Police Station,
Tirunelveli District.

(In Crime No.131 of 2014). ... Respondents 1 to 3/Complainant

4.Nithyaselvei ... Respondent/Defacto Complainant

5.Lakshmi ... 4th Respondent/Victim

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the records of charge sheet in S.C.No.82 of 2016 in Crime No. 131 of 2014 pending on the file of the Learned II Additional District and Sessions Judge and Special Court for P.C.R. Cases, Tirunelveli and quash the same as against the petitioner.

For Petitioner	:	Mr.S.M.A.Jinnah
For R1 to R3	:	Mr.K.Anbarasan
		Government Advocate(Crl.side)
For R4	:	Mr.R.Rajesh Kumar

O R D E R

This petition has been filed seeking to quash the charge sheet in S.C.No.82 of 2016 in Crime No. 131 of 2014 pending on the file of the Learned II Additional District and Sessions Judge and Special Court for P.C.R. Cases, Tirunelveli, pursuant to the amicable settlement effected between the parties.



2. It is seen that a case in Crime No.131 of 2014 for the alleged offences under Sections 147, 435 IPC r/w Section 3(2)(va) of SC/ST (POA) Amendment Ordinance-2014 has been registered against the petitioner/A1. After completion of investigation, charge sheet has been laid before the learned District Munsif-cum-Judicial Magistrate, Cheranmahadevi, Tirunelveli and the same has been committed to Sessions Court and taken on file in S.C.No.82 of 2016 on the file of the learned Additional District and Sessions Judge and Special Court for P.C.R cases, Tirunelveli.

3. It is submitted that pursuant to the settlement entered between the parties at the intervention of senior members and relatives of the parties concerned, they have filed a compromise memo dated 09.06.2017 duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the fourth respondent has agreed to quash criminal proceedings in S.C.No.82 of 2016 pending on the file of the Learned II Additional District and Sessions Judge and Special Court for P.C.R. Cases, Tirunelveli.

4. When the matter is taken up for hearing, the petitioner/A1 and the fourth respondent, appeared in person and they have submitted that they have signed in the compromise memo out of their own will and volition. The identifications of the parties, who signed in the compromise memo, were also verified by this Court through Identity Cards and Adhar Cards. Apart from that, identity of parties are confirmed by the learned Government Advocat (Crl.side) through the respondent police.

5. Considering the nature of case and in view of joint memo of compromise dated 09.06.2017, this Court is of the opinion that no useful purpose would be served in keeping the proceeding pending. Therefore, criminal proceeding in S.C.No.82 of 2016 pending on the file of the Learned II Additional District and Sessions Judge and Special Court for P.C.R. Cases, Tirunelveli, in respect of the petitioner/A1 is hereby quashed.

6. Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties. The joint compromise memo dated 09.06.2017 shall form part of this order. Consequently, connected Crl.M.P.(MD) No.5192 of 2017 is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/



To:

1. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Alangulam Sub Division,
Tirunelveli District.
2. The Inspector of Police,
Pappakudi Police Station,
Tirunelveli District.
3. The Learned Additional District and Sessions Judge,
Special Court for P.C.R. Cases, Tirunelveli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.7584 of 2017
and
Crl.M.P. (MD) No.5192 of 2017
06.07.2017

CM/GSP
JM/SKN RSK/SAR 1/14.07.2017/3P/5C