



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2017

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.7698 of 2017

1.Deenadhayalan
2.Sureshkumar
3.Subbiah
4.Ayyadurai

: Petitioners/A Nos.1 to 4

-vs-

1.The Deputy Superintendent of Police
Sattur,
Virudhunagar District.
2.The Inspector of Police,
Alangaulam Police Station,
Virudhunagar District.
(Crime No.83/2015)
3.Chellapandi

: Respondents/Complainants
:3rd Respondent/Defacto complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure, praying to call for the records relating to Spl.S.C.No.31 of 2016 on the file of the Principal District and Sessions Court, Virudhunagar at Srivilliputtur and quash the same as illegal.

For Petitioners : Mr.B.Veerapandi

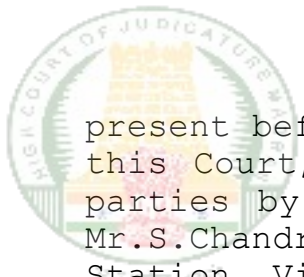
For 1st and 2nd Respondents : Mr.K.Anbarasan
Government Advocate (Crl.side)

For 3rd Respondent :Mr.D.Palanikumar

O R D E R

On the complaint lodged by the third respondent, the second respondent registered a case in Crime No.83 of 2015 and after completing the investigation, they have filed charge sheet in Spl.S.C.No.31 of 2016, before the learned Principal District and Sessions Court, Virudhunagar at Srivilliputtur, for the offence under Sections 294(b), 323 of the Indian Penal Code r/w 3(1)(r)(s)(y) and 3(2)(va) of SC/ST Act against the petitioners, to quash which, both parties are present before this Court on the ground that they have arrived at the compromise.

2. Today, when the matter was taken up for hearing, Mr.S.Chandrasekaran, Sub-Inspector of Police, Alangulam Police Station, Virudhunagar District, is present. Both parties are also



present before this Court and their identifications were verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Criminal side) through Mr.S.Chandrasekaran, Sub-Inspector of Police, Alangulam Police Station, Virudhunagar District.

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3. The petitioners and the third respondent have filed a joint compromise memo dated 19.06.2017, duly signed by the parties and their respective counsel, wherein they have stated as follows:

"2.It is submitted that both the petitioners and the defacto complainant are belongs to neighbour Village. Due to sudden provocation, the defacto complainant lodged the false case against the petitioners. After that the interference of elders from both the village, the parties entered into amicable settlement. Now, the defacto complainant not willing to proceed the above said case and agreed to quash the case in Spl.S.C.No.31 of 2016 on the file of the Principal District and Sessions Court Virudhunagar at Srivilliputtur"

4. In normal circumstances a prosecution under SC and ST Act cannot be routinely quashed on the ground of compromise arrived at between the parties. However, in this case, it is seen that on the intervention of elders in the villagers, the matter has been amicably settled and peace prevails. Therefore, in view of the joint memo of compromise dated 19.06.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending.

5.Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties and the entire proceedings in Spl.S.C.No.31 of 2016 on the file of the Principal District and Sessions Court, Virudhunagar at Srivilliputtur are hereby quashed on condition that the petitioners shall pay a sum of Rs.500/- (Rupees Five Hundred only) each (Totally Rs.500/- x 4 = Rs.2,000/- (Rupees Two Thousand only) as cost to Rojavanam, Ulaganeri, Madurai, within a period of one week from the date of receipt of a copy of this order and file a memo in the Registry. The joint compromise memo dated 19.06.2017 shall form part of this order.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To:

1.The Deputy Superintendent of Police

<https://hcservices.gov.in/hcservices/>

Virudhunagar District.



2.The Inspector of Police,
Alangaulam Police Station,
Virudhungan District.

3.The Principal District and Sessions Court, Virudhunagar at
Srivilliputtur.

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

5.The Person-in-charge,Rojavanam,
Ulaganeri,
Madurai.

+1cc to M/s.G.THIRUVARUTSELVAN Advocate in SR. No.61666

JIKR

JS/MR/KKR/SAR.4/4.7.2017/3P-7C

Order made in
Cr1.O.P.(MD) No.7698 of 2017
22.06.2017