



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2017

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WEB COPY

Cr1.O.P.(MD) No.7884 of 2017

1.Balamurugan

2.M.Parasakthivel

: Petitioners/Accused Nos.1 and 2

-vs-

1.State represented by its

The Inspector of Police,
Kuruvikulam Police Station,
Tirunelveli District.(Crime No.90 of 2017) : 1st Respondent/Complainant

2.Manikumar

: 2nd Respondent/Defacto Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure, praying to call for the records in Crime No.90 of 2017 on the file of the first respondent police and quash the same.

For Petitioners

: Mr.R.J.Karthick

For Respondents

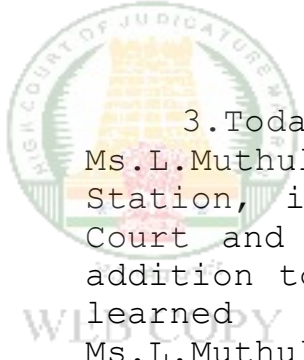
: Mr.K.Anbarasan

Government Advocate (Cr1.side)
for R.1: Mr.S.Mathavaram
for R.2

ORDER

On the complaint lodged by Manikumar, the respondent police registered a case in Crime No.90 of 2017 on 04.06.2017 for the offences under Sections 147, 294(b), 323, 324, 506(ii) I.P.C., r/w 3(i)(r), 3(i)(s), 3(2)(va) SC/ST (POA) Act 2015 against Balamurugan and Vaishnavin and three others, for quashing which, both parties are present before this Court on the ground that they have arrived at the compromise.

2. Under normal circumstances, the offence under Sections of SC/ST Act should not be routinely quashed on the ground that the parties have arrived at compromise. However, in this case, both parties appear to be living in nearby villages and at the intervention of elders, they have arrived at an amicable settlement.



3.Today, when the matter was taken up for hearing, Ms.L.Muthulakshmi, Sub-Inspector of Police, Thiruvangadam Police Station, 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 Ms.L.Muthulakshmi, Sub-Inspector of Police, Thiruvangadam Police Station.

4. The petitioners and the second respondent have filed a joint compromise memo dated 21.06.2017 wherein, they have stated as follows:

"2. Both the parties submits that now the entire dispute between the petitioners and the second respondent is settled amicably out of the Court at the instance of the elder members of their family. The 2nd respondent/complainant herein agrees to compound the case pending in Crime No.90 of 2017 on the file of the 1st respondent police and expresses his no objection to quash the above case as against the petitioners herein. The petitioners and the 2nd respondent agrees that there shall not be any mutual claims between them hereafter."

5.In view of the joint memo of compromise dated 21.06.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending.

6.Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties and the entire proceedings in Cr.No.90 of 2017 on the file of the first respondent police are hereby quashed on condition that the petitioners shall pay a sum of Rs.2,000/- (Rupees Two Thousand only) each (Totally Rs.2,000/- x 2=Rs.4,000/- (Rupees Four Thousand only) as cost to the Tamil Nadu State Legal Services Committee attached to this Bench 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 21.06.2017 shall form part of this order.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

Encl: Joint Compromise Memo dated 21.06.2017.



To:

1. The Inspector of Police,
Kuruvikulam Police Station,
Tirunelveli District.

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

Copy To:

The TamilNadu State Legal Services Committee,
Madurai Bench.

+1 CC to M/s. R.J.KARTHICK, Advocate, SR No. 61992.

SSL

PSM/SKN-RSK/SAR1/03.07.2017/3P/5C

Order made in
Crl.O.P. (MD) No.7884 of 2017
27.06.2017