



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 20.03.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH**CRL O.P. (MD) No.2781 of 2017**

- 1.Suriyakumar
- 2.Selvam @ Thirugnanam
- 3.Sankar @ Thirisangu
- 4.Jana @ Janarthanan
- 5.Sathishkumar
- 6.Muthu
- 7.Arumugam

... Petitioners/Accused No.1 to 7

Vs

- 1.State represented by
The Assistant Commissioner of Police, (L&O)
Madurai City

- 2.The Inspector of Police,
B3-Teppakulam Police Station (L&O)
Madurai City
(Crime No.731/2015)

... Respondents/Complainants

- 3.Karuppasamy ... Respondent/ Defacto-Complainant

Prayer: Criminal Petition filed under Article 482 of the Constitution of India, to accept this supporting affidavit of me and quash the charge sheet in P.R.C.No.5 of 2016 dated 17.02.2016 pending on the file of learned Judicial Magistrate No.I, Madurai.

For Petitioner : Mr.S.Rajaprabu

For Respondents : Mr.A.P.Balasubramani For R1 & R2
Government Advocate (crl.side)
M/s K.Rajendran (For R3)

ORDER

On the complaint given by Karuppasamy, the 2nd respondent Police registered a case in Crime No.731 of 2015 dated 07.06.2015, for offences under sections 147,148, 341, 294(b), 323, 324, 506 (ii) of IPC and Section 3(1) (r)&(s) of the SC/ST (POA) Amendment Act 2014, against the petitioners and on completion of the investigation, has filed the chargesheet in PRC No.5/2016, for ~~quashing~~ the accused and the defacto complainant are before this Court on the ground that they have arrived at a compromise.



2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. Mr. S. Isaac Samuel, Special Sub Inspector of Police present before this Court, today. The defacto complainant is present and the accused 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. S. Isaac Samuel, Special Sub Inspector of Police, Madurai District.

4. The petitioners and the third respondent have filed an affidavit along with a compromise memo dated 20.03.2017, in which, it has been stated as follows:

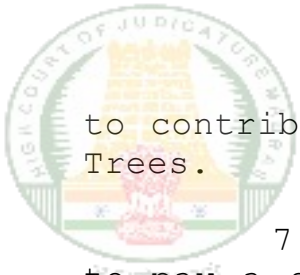
"3. I further submit that the petitioners and I have solved the problems amicably with the interest of my family welfare. Because of the reason is that the above said petitioners are neighbour of me, due to the fit of the anger, I had lodged the complaint against the petitioners, now the family elders and relatives of both families were enter into compromise with the petitioners and settled the entire issues amicably to out of Court.

4. I further Submit that I am willing to withdraw the criminal case registered against the petitioners in Crime No.731 of 2015 alleged offences under sections 147,148,341, 294(b), 323,324, 506(ii) of IPC and section 3 (I) ® and (s) of SC/ST Act (POA) Amendment Ordinance Act, 2014 on 07.06.2015 by the 2nd respondent, accordingly charge sheet also filed in P.R.C.No.5 of 2016 dated:17.02.2016 before the Learned Judicial Magistrate, No.I, Madurai.

6. I further submit that the due to intervention of the family elders of the petitioners and me/defacto complainant has settled the dispute amicably."

5. In view of the joint compromise memo, 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 P.R.C.No.5 of 2016 on the file of the Judicial Magistrate, No.I, Madurai, in respect of all the accused, are hereby quashed. The affidavit along with the joint compromise memo shall form part of this order.

6. At the instance of the learned counsel for the petitioners, the petitioners themselves voluntarily came forward



to contribute some amount for the purpose of removal of Karuvelam Trees.

7. Accepting the submission, the petitioners are directed to pay a sum of Rs.500/- (Rupees Five Hundred only) each, to the credit of Indian Bank savings Account No.6514082295, operated by the Registrar (Administration), Madurai Bench Madras High Court, Madurai, for the purpose of removal of Karuvelam Trees, within a period of two weeks from today. After making payment, a copy of the challan shall be furnished to the Registrar (Administration), Madurai Bench of Madras High Court, Madurai.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1. The learned Judicial Magistrate No.I,
Madurai.
 2. The Assistant Commissioner of Police, (L&O)
Madurai City
 3. The Inspector of Police,
Teppakulam Police Station, Madurai District
 4. The Registrar (Administration),
Madurai Bench of Madras High Court,
Madurai.
 5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.S.RAJAPRABHU, Advocate, SR No. 16236
RR
PSM/KP/SAR3/18.04.2017/3P/7C

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20.03.2017