



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 20.03.2017

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH**CRL O.P. (MD)No.2870 of 2017**

- 1.Lakshmanan
- 2.Muthukumar
- 3.Sathyamoorthy
- 4.Shunmugavel
- 5.Karuppusamy
- 6.Sangiah
- 7.Ramu
- 8.Rajendran
- 9.Bose
- 10.Sankar
- 11.Ramar

... Petitioners/Accused No.1 & 11

Vs

- 1.STATE represented by the Inspector of Police,
Teppakulam Police Station,
Madurai.
- 2.R.Murugan

... Respondent/Complainant

... Respondent/ Defacto-Complainant

Prayer: Criminal Petition filed under Article 482 of the Constitution of India, to call for the records pertaining to the Charge Sheet in C.C.No.87 of 2016 on the file of the learned Judicial Magistrate (Additional Mahila) Court, Madurai in C.C.No.87 of 2016 and quash the same.

For Petitioner : Mr.T.Saravana pandian
For Respondent1 : Mr.A.P.Balasubramani
Government Advocate (Crl. side)
For Respondent 2 : Mr.S.Rajaprabhu

ORDER

On the complaint given by R.Murugan, the 1st respondent Police registered a case in Crime No.732 of 2015, for offences under sections 147,148,341,294(b),427,323 and 506(ii) of IPC and Section 4 of Tamilnadu Prohibition of Women Harassment Act, against the petitioners, and on completion of the investigation, has filed a chargesheet in C.C.No.87/2016 for quashing which, 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. It is most respectfully submitted that in view of the settlement arrived at between both parties, pray indulgence of this Hon'ble Court for compounding the case and are filing this joint memo. And both parties pray for apology before this Hon'ble Court for the inconvenience caused to this Hon'ble Court and the same is neither willful nor wanton."

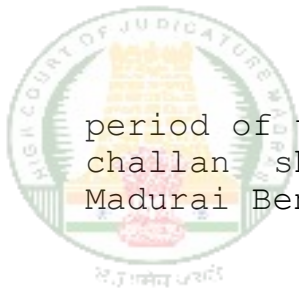
4. It is submitted that the issue is between both parties and neither any public issue nor any public policy affecting the society at large is involved in this case.

Therefore, it is prayed that this Hon'ble Court may be pleased to grant permission for both parties and consequently accept the compromise arrived at between both the accused and the defacto complainant and quash the chargesheet in C.C.No.87/2016 dated 24.06.2015 on the file of the learned Judicial Magistrate, (Additional Mahila) Court, Madurai, and thus render justice."

5.In view of the affidavit along with the joint compromise memo, dated 21.01.2016, 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 C.C.No.87 of 2016 on the file of the Judicial Magistrate (Additional Mahila Court), 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/

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Sub Assistant Registrar

To

1. The Judicial Magistrate (Additional Mahila) Court, Madurai.
2. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
3. The Registrar (Administration), Madurai Bench of Madras High Court, Madurai.

RR

PSM/KP/SAR3/18.04.2017/3P/4C

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