



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRL.O.P. (MD) No. 4133 of 2018

WEB COPY

1. Ragesh @ Palanisamy
2. Mani
3. Sooriya
4. Arumugam
5. Narendran

... Petitioners/
Accused Nos. 1 to 5

-Vs-

1. The State Rep. By
The Inspector of Police,
Velayuthapattinam Police Station,
Sivagangai District.
(Crime No. 32 of 2017)

... Respondent/Complainant

2. Soundaram

... 2nd Respondent/Defacto
Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to call for the records connected to the FIR in Crime No. 32 of 2017 on the file of the 1st Respondent police and quash the same as against the petitioners.

For Petitioners	: Mr. S. M. Sanjay
For R1	: Mr. A. Robinson, Government Advocate (Crl. Side)
For R2	: Mr. D. Palani Kumar

ORDER

On the complaint lodged by one Soundaram, the first respondent police has registered a case in Crime No. 32 of 2017 under Sections 147, 294(b), 323 of IPC r/w Section 4 of TNPWH Act against the petitioners herein, for quashing which, the petitioners and the defacto complainant are before this Court on the ground that they have arrived at a compromise.

2. Today, when the matter was taken up for hearing, the defacto complainant and the petitioners are present and their identifications were also verified by this Court.

3. The petitioners and the second respondent have filed a joint compromise, dated 14.03.2018, wherein, it is stated as follows:



"1. The petitioners submit that the petitioners and the 2nd respondent have jointly filed this compromise memo. The 2nd Respondent has de-facto complainant in the above said Crime No.32 of 2017 alleged offences U/s.147, 294(b), 323 of IPC r/w. Section 4 of TNPWH Act in Crime No.32 of 2017, now the problem also solved. The petitioners and the de-facto complainant were agreed and compromise the above said Crime No.32 of 2017.

(2) The petitioners submit that the Family elders intervened the dispute between the de-facto complainant with the petitioners, the matter entered into compromise, because they are in the same Village. In this circumstance the 2nd respondent not willing to proceed further against the petitioners in Crime No.32/2017.

Therefore this Hon'ble Court may graciously be pleased to record this compromise memo and quash the FIR in Crime No.32/2017 on the file of the 1st Respondent police and thus render justice."

4. In view of the above, 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 Crime No.32 of 2017 on the file of the first respondent police in respect of all the accused including those who are not before this Court are hereby quashed. The joint compromise memo dated 14.03.2018 shall form part of this order.

5. At the instance of the learned counsel for the petitioners, the petitioners themselves voluntarily came forward to contribute some amount to the Mediation and Conciliation Centre attached to this Bench.

6. Accepting the submission, the petitioners are directed to pay a sum of Rs.500/- (Rupees Five Hundred only) **each**, to the Mediation and Conciliation Centre attached to this Bench, 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(CO)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of joint compromise memo
To

1. The Inspector of Police,
Velayuthapattinam Police Station,
Sivagangai District.



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

Copy to

1. The Registrar (Administration),
Madurai Bench of Madras High Court, Madurai.
2. The Officer Incharge,
Mediation and Conciliation Centre
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.M.Sanjay, Advocate Sr.No.59916

AM

VB/SV/MMS/SAR1/13.04.2018/3P/6C

Order made in
CRL.O.P. (MD) No.4133 of 2018
Dated: 05.04.2018