



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P.(MD)No.4900 of 2018

1.Veerapandi

2.Asaithambi

: Petitioners / Accused Nos.1 and 2

-Vs-

1. State represented by

The Inspector of Police,

Nagamalai Pudukottai Police Station,

Madurai District.

(Crime No.103 of 2018) : 1st Respondent / Complainant

2. Rajkumar

: 2nd Respondent / *De facto* Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to call for the first information report in Crime No.103 of 2018 on the file of the Inspector of Police, Nagamalai Pudukottai Police Station, Madurai District and quash the same.

For Petitioners : Mr.K.Ramanathan

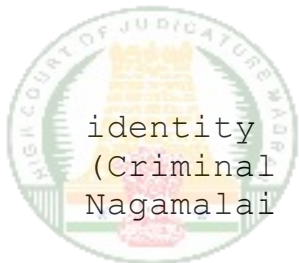
For R1 : Mr.Prabhu Ramachandran
Government Advocate (Crl side)

For R2 : Mr.B.Vinothkumar

O R D E R

On the complaint lodged by one Rajkumar, the first respondent police has registered a case in Cr.No.103 of 2018 under Sections 406, 420, 294 (b), 323, 506 (i) of IPC against the petitioners herein, for quashing which, the petitioners and the *de facto* 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, Mr.Jeeva, the Special Sub Inspector of Police, Nagamalai Pudukottai Police Station, Madurai District is present. The *de facto* complainant and the petitioners are 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 the Special Sub Inspector of Police, Nagamalai Pudukottai Police Station, Madurai District.

3. The petitioners and the second respondent have filed a joint compromise memo dated 24.03.2018, wherein, it is stated as follows:

"1.The petitioners submits that they have been arrayed as accused in Crime No.103 of 2018 on the file of the first respondent Police for the offences under Sections 406, 420, 294 (b), 323, 506 (1) of IPC based on the complaint of the second respondent.

2.The petitioners submit that the petitioners and the second respondent and the petitioners are same village and residing same locality. So in the interest of our welfare and to establish peace in future life of the petitioners and the second respondent, they have compromised themselves at the instances of their elder people of their village and have forgiven the differences of opinion and settled the issue by withdrawing the criminal case pending before the first respondent Police which was initiated by the de facto complainant.

3.The petitioners submit that in a fit of anger the second respondent has given this complaint. Now the differences and the issues between the petitioners and the second respondent have been amicably settled for their peaceful future life. Therefore, this memo for compromise is filed before this Hon'ble Court for compounding the above offence with signature of both parties. Therefore the petitioners most humbly pray for pardon of this Hon'ble Court for the inconvenience caused by them.

4.The petitioners humbly submit that in view of their compromise for a peaceful future life, this Hon'ble Court may be pleased to permit them to compound the offence in the interest of justice through the offences are not compoundable.

Therefore, it is prayed that this Hon'ble Court may be pleased to accept the compromise arrived at between the petitioners and the second respondent to compound the case pending before the first respondent / Inspector of Police, Nagamalai Pudukottai Police Station, Madurai District in connection with



Crime No.103 of 2018 on the file of the first respondent / Inspector of Police, Nagamalai Pudukottai Police Station, Madurai District and quash the same and pass such other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case 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 Cr.No.103 of 2018 on the file of the Inspector of Police, Nagamalai Pudukottai Police Station, Madurai District in respect of the petitioners/accused Nos.1 and 2, is quashed. The joint compromise memo dated 24.03.2018 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.5,000/- (Rupees Five Thousand only), **each to the Mediation and Conciliation Centre attached to this Bench, under the head of Infrastructure funds, within a period of four weeks from the date of receipt of a copy of this order.** 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(AS)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai 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 -in- Charge,
Mediation and Conciliation Centre,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.B.Vinothkumar, Advocate Sr.No.62983

TSG

VB/SKN/RSK/SAR2/30.05.2018/4P/6C

Order made in
CRL.O.P. (MD) No.4900 of 2018
Dated: 23.04.2018