



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2018

CORAM:

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**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR**

CRL.O.P.(MD)No.5998 of 2018

1.Kottaisamy  
2.Sornalingam  
3.Saravanan  
4.Ramanathan  
5.Sathish

.. Petitioners / Accused Nos.1 to 5

Vs.

1. The State represented by  
The Inspector of Police,  
Devakottai Taluk Police Station,  
Sivagangai District.  
(Cr.No.97 of 2017).

..1st Respondent/ Complainant

2.Karthick

.. 2<sup>nd</sup> Respondent / Defacto Complainant

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records in S.T.C.No.2207 of 2017 on the file of the learned Judicial Magistrate, Devakottai, Sivagangai District and quash the same.

|                 |                                                               |
|-----------------|---------------------------------------------------------------|
| For Petitioners | : Mr.S.Mugilarasan                                            |
| For R1          | : Mr.K.Prabhu Ramachandran<br>Government Advocate (Crl. Side) |
| For R2          | : Mr.P.Muthupandi                                             |

### **O R D E R**

This petition has been filed seeking to quash the proceedings in S.T.C.No.2207 of 2017 pending on the file of the learned Judicial Magistrate, Devakottai, Sivagangai District.

2.On the complaint lodged by the second respondent herein, the first respondent police has registered a case in Crime No.97 of 2017 for the offence punishable under Sections 147, 294 (b), 323 and 506(i) IPC against the petitioners herein. After completing investigation, the first respondent has filed charge sheet and the same has been taken on file in S.T.C.No.2207 of 2017 by the Judicial Magistrate, Devakottai, Sivagangai District and



for quashing the same, the petitioners and the *defacto* complainant are before this Court on the ground that they have arrived at a compromise.

3. Today, when the matter is taken up for hearing, Mr. S. Muthuraman, Special Sub-Inspector of Police, Devakottai Taluk Police Station, Sivagangai District is present. The petitioners and the second respondent appeared in person and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the Government Advocate (Crl. Side) through the respondent Police, namely, Mr. S. Muthuraman, Special Sub-Inspector of Police, Devakottai Taluk Police Station, Sivagangai District. Learned counsel appearing for the parties also endorsed the identity of their respective parties.

4. The parties have filed a joint memo of compromise dated 12.04.2018, wherein, it is stated as follows:

"2. It is submitted that now at the intervention of the elders and on hearing their advice, the petitioners and the second respondent thought to settle the issue amicably.

3. It is submitted that the offence which are mentioned in the case offence is simple in nature. Due to intervention of the petitioners' village elders, they are entered into the compromise.

4. The second respondent has no objection to quash the case in S.T.C.No.2207 of 2017.

Therefore, this Hon'ble Court may graciously be pleased to accept this compromise memo filed by me and others for quashing the case in S.T.C.No.2207 of 2017 on the file of the Judicial Magistrate, Devakottai, Sivagangai District."

5. 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 S.T.C.No.2207 of 2017 on the file of the Judicial Magistrate, Devakottai, Sivagangai District in respect of the petitioner/accused 1 to 5 are hereby quashed. The joint compromise memo dated 12.04.2017 shall form part of this order.

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

<https://hcservices.ecourts.gov.in/7services> 7. In respect of the submission, each petitioner is directed to pay a sum of Rs.1,000/- (Total sum of Rs.5,000/-) to the Mediation and Conciliation Centre attached to this Bench, under



the head of Infrastructure funds, within a period of two 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.

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Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

**Encl: Xerox copy of joint Compromise Memo**

To

1. The Judicial Magistrate, Devakottai,  
Sivagangai District.
2. The Chief Judicial Magistrate, Sivagangai District.
3. The Inspector of Police,  
Devakottai Taluk Police Station,  
Sivagangai District.
4. The Officer-in-Charge,  
Mediation and Conciliation Centre,  
Madurai Bench of Madras High Court,  
Madurai.
5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Copy to:

The Registrar(Administration)  
Madurai Bench of Madras High Court,  
Madurai.

+ 1 cc TO Mr.S.Mugilarasan , Advocate in SR No. 61594

mj

AE/KKR/SAR3/25.04.2018/3P/8C