



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2018

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THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P.(MD) No.6097 of 2018

Iqbal

.. Petitioner

vs.

1.State represented by
The Inspector of Police,
Gandhi Market Police Station,
Trichy District.
(Crime No.1306 of 2017).

2.Ravikumar

.. Respondents

Petition is filed under Section 482 of Code of Criminal Procedure to call for the records pertaining to the above charge sheet in C.C.No.34 of 2018 on the file of the learned Judicial Magistrate No.V, Trichy and quash the same.

For Petitioner : Mr.S.Sathya Chidambaram

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

For R2 : Mr.B.Santhanam Rajeshkumar

O R D E R

This petition has been filed seeking to quash the charge sheet in C.C.No.34 of 2018 on the file of the learned Judicial Magistrate No.V, Trichy.

2.On the complaint lodged by the second respondent herein, the first respondent police has registered a case in Crime No.1306 of 2017 for the offence punishable under Sections 294(b), 352, 506(ii) IPC against the petitioner herein. After completing investigation, the first respondent has filed charge sheet and the same has been taken on file in C.C.No.34 of 2018 by the Judicial Magistrate No.V, Trichy and for quashing the same, the petitioner 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.M.Tamilarasan, Special Sub-Inspector of Police, Gandhi Market Police Station, Trichy is present. The petitioner and the second respondent appeared in persons 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.M.Tamilarasan, Special Sub-Inspector of Police, Gandhi Market Police Station, Trichy. Learned counsel appearing for the parties also endorsed the identify of their respective parties.

4. The parties have filed a joint memo of compromise dated 11.04.2018, wherein, it is stated as follows:

"2.It is further submitted that the above said criminal case pertains to a dispute between the parties on a very minor issue and the same was filed on flimsy grounds.

3.It is submitted that after filing of the above quash petition as stated above, the well wishers of both the families and family elders advised both the parties that in the interest of maintaining peace and harmony in the locality an and also in the interest of future of the parties, both parties have compromised themselves. ...

It is therefore prayed that this Hon'ble Court may be pleased to record the above compromise arrived between the petitioner and the defacto complainant amicably and prays this Hon'ble Court to quash the charge sheet in C.C.No.34 of 2018 on the file of the Judicial Magistrate, No.V, Trichy. "

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 C.C.No.34 of 2018 on the file of the Judicial Magistrate, No.V, Trichy in respect of the petitioner/sole accused are hereby quashed. The joint compromise memo dated 11.04.2017 shall form part of this order.

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

7.Accepting the submission, the petitioner is directed to pay a sum of Rs.1,000/- (Rupees one thousand only) 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(T & P)

/True copy/

Sub Assistant Registrar

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To

- 1.The Judicial Magistrate, No.V, Trichy
- 2.The Inspector of Police,
Gandhi Market Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

THE REGISTRAR (ADMINISTRATION),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Crl.O.P.(MD) No.6097 of 2018
17.04.2018

SMA/CM-PN/SAR-3/14.05.2018:3P/5C