



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.04.2018

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THE HON'BLE MR.JUSTICE **D.KRISHNAKUMAR**

CRL.O.P.(MD)No.6554 of 2018

1.Karthik

2.Muthu Kumar

.. Petitioners/Accused Nos.1 & 2

.. Vs ..

1.The Inspector of Police,
Central Police Station,
Thoothukudi... 1st Respondent/Complainant

2.Murugan

.. 2nd Respondent /De facto
Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the criminal case in Cr.No.426 of 2017 on the file of the first respondent.

For Petitioners : Mr.J.Praveen

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

For R2 : Mr.C.Anand

O R D E R

On the complaint lodged by one Murugan, the first respondent police has registered a case in Cr.No.426 of 2017 before the Inspector of Police, Central Police Station, Thoothukudi under Sections 294 (b), 323, 324 and 506 (ii) of I.P.C. 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, the Inspector of Police, Central Police Station, Thoothukudi 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 Inspector of Police, Central Police Station, Thoothukudi.

3. The petitioners and the second respondent have filed a joint compromise memo dated 19.04.2018, wherein, it is stated as follows:

"1.It is humbly submitted that at the instance of the second respondent a F.I.R was registered against the above petitioners in Crime No.426 of 2017 for offences under Sections 294 (b), 323, 324 and 506 (ii) of I.P.C. by the first respondent Police on 25.10.2017.

2.The second respondent in hurry to tackle counter case had lodged the criminal complaint before the first respondent Police Station. Now the dispute was amicably solved between the petitioner and the second respondent at advice of the elders of the Society to withdraw all three cases and counter cases given by them.

3.The second respondent does not want to proceed with the case and they have no objection for quash of FIR in Crime No.426 of 2017 pursuant to the compromise arrived between the parties of this case.

Wherefore it is humbly prayed that this Hon'ble Court may be pleased to accept this joint compromise memo filed by the petitioners and the second respondent before this Hon'ble Court and pass such further order as to the facts and circumstances of this 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.426 of 2017, before the first respondent Police in respect of the petitioners/accused Nos.1 and 2 is quashed. The joint compromise memo dated 19.04.2018 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.1,000/- (Rupees One Thousand only), **each 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(RTI)

/True copy/

Sub Assistant Registrar

tsg

To

Encl: Joint Compromise Memo Xerox Copy herewith enclosed

1.The Inspector of Police,
Central Police Station,
Thoothukudi.

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

Copy to :

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

+1 cc to MR.J.PRAVEEN, Advocate SR.No.62912

CRL.O.P. (MD) No.6554 of 2018
23.04.2018

SMA/SKN-RSK/SAR-2/30.05.2018:3P/5C