



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2018

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

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Crl.O.P.(MD) No.11793 of 2018

1.Paramasivam @ Paramasivan
2.Velrasa @ Velraja
3.Muniasamy
4.Murugan

.. Petitioners

vs.

1. State through
The Inspector of Police,
South Police Station,
Thoothukudi District.

2. Maharaja @ Maharajan

.. Respondents

Petition is filed under Section 482 of Code of Criminal Procedure to call for the records relating to Cr.No.293/2018 dated 20/05/2018 on the file of the 1st respondent police and quash the same.

For Petitioners	:Mr.S.Moorthy
For R1	:Mr.Prabhu Ramachandran Government Advocate (Crl.Side)
For R2	:Mr.S.T.Sasidharan Tamilkani

O R D E R

This petition has been filed seeking to quash the First Information Report registered in Crime No.293 of 2018 dated 20.05.2018 pending on the file of the first respondent.

2.On the complaint lodged by the second respondent herein, the first respondent police has registered a case in Crime No.293 of 2018 for the offence under Sections 294 (b) and 506 (ii) IPC against the petitioners/accused Nos.1 to 4 and in order to quash the same, the petitioners are before this Court by filing the present petition, on the ground that both the parties have arrived at a compromise.

3.Today, when the matter was taken up for hearing, Mr.S.Ramakrishnan, the Special Sub Inspector of Police, South Police Station, Thoothukudi District is present. The *defacto* 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 Mr.S.Ramakrishnan, the Special Sub Inspector of Police, South Police Station, Thoothukudi District is present. Learned counsel appearing for the parties also endorsed the identify of their respective parties.

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4.The learned counsel appearing for the petitioners has filed the present petition along with the joint compromise memo on 10.07.2018, wherein, it is stated as follows:

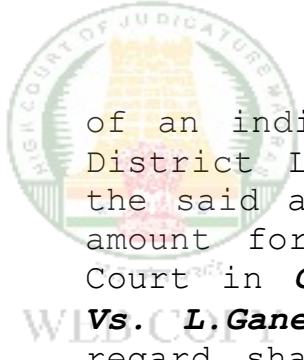
"4.Further parties stated that they have no alternative remedy except to file this memo for seeking the relief of quash complaint in Cr.No.293/2018 dated 20.05.2018 on the file of the respondent police station also pursuance of that now both parties are willing to enter into the amicable settlement due to life of them because of both are residing at same area also which complaint was made upon sudden provocation, hence the 2nd respondent has interested to withdraw the case against petitioners without any bad intention as well as no inducement is made by anybody.

Therefore it is prayed that this Hon'ble Court may be pleased to allow this joint compromise memo which filed by the petitioners and 2nd respondent for quashing the complaint in Cr.No.293/2018 dated 20.05.2018 on the file of the 1st respondent."

5.Considering the nature of allegations and also considering the fact that the second respondent has no objection to quash the case in Crime No.293 of 2018 and to that effect a joint memo of compromise has been filed on 10.07.2018, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, the entire proceedings in Crime No.293 of 2018 pending on the file of the first respondent in respect of the petitioners/accused Nos.1 to 4 are hereby quashed.

6.Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties. The joint compromise memo filed on 10.07.2018 shall form part of this order.

7.In this case, the learned counsel appearing for the petitioners submitted that the petitioners are willing to contribute some amount to the District Legal Services Authority, Sivaganga under the Head "Environmental Fund" to preserve the environment. Hence, each petitioner is directed to remit a sum of Rs.12,000/-) as costs within a period of two weeks from the date of receipt of a copy of this order, by way



of an individual/collective **Demand Draft** drawn in favour of the District Legal Services Authority, Sivaganga, who shall receive the said amount as "Environmental Fund" and make use of the said amount for the purposes mentioned in the order passed by this Court in **CRP (NPD) No.1643 of 2010 on 20.06.2018 [D.Govindasamy Vs. L.Ganesh Naidu (Deceased) and 2 others]**. A report in this regard shall be sent by the District Legal Services Authority, Sivaganga to the Member Secretary, Tamil Nadu State Legal Services Authority, Chennai, mentioning clearly the amounts spent towards the purposes mentioned in the above order and the balance amount left etc.,

sd/-
Assistant Registrar (CrL.side)

/True Copy/

Sub Assistant Registrar(CS-III)

Encl.:Xerox Copy to Joint Compromise Memo
To

1. The Inspector of Police,
South Police Station,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. The Member Secretary, Tamil Nadu State
Legal Services Authority, Chennai.
4. The District Legal Services Authority,
Sivaganga.

+1cc to Mr.S.Moorthy, Advocate SR.No.74089
Mj
MK/SKN RSK/SAR 3/02.08.2018/3P/6C

CrL.O.P. (MD) No.11793 of 2018
18.07.2018