



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

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THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Cr1.O.P.(MD) No.12968 of 2018

1.Rajendran
2.Nadaiyan
3.Prasanth

.. Petitioners

vs.

1.The Inspector of Police,
Gudalur South Police Station,
Gudalur,
Theni District.

2.Senthilkumar

.. Respondents

Petition is filed under Section 482 of Code of Criminal Procedure to call for the records pertaining to the First Information Report in Crime No.126/2017 on the file of the first respondent herein and quash the same.

For Petitioners	:	Mr.P.Mahendran
For R1	:	Mr.K.K.Ramakrishnan Additional Public Prosecutor
For R2	:	Mr.C.Abulkalam Azad

O R D E R

This petition has been filed seeking to quash the First Information Report registered in Crime No.126 of 2017 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.126 of 2017 for the offence under Sections 294(b), 323 and 506(ii) IPC against the petitioners/accused Nos.1 to 3 and in order to quash the same, the petitioners are before this Court by filing the present petition. Subsequent to the filing of the present petition, the learned counsel appearing for the petitioners filed a joint compromise memo on 01.08.2018, based on which, he sought for quashing of the FIR in Crime No.126 of 2017.



Police Station, Gudalur, Theni 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 Additional Public Prosecutor through Mr. Tamilselvan, Special Sub Inspector of Police, Gudalur South Police Station, Gudalur, Theni District. Learned counsel appearing for the parties also endorsed the identity of their respective parties.

4. The learned counsel appearing for the petitioners filed a joint compromise memo on 01.08.2018, wherein, it is stated as follows:

"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 and also in the interest future of the parties, both parties have compromised themselves. Hence, it is just and necessary to file this compromise memo and dispose of the quash petition.

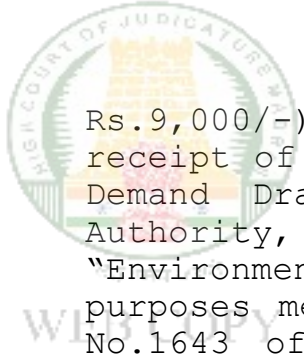
It is therefore prayed that this Hon'ble Court may be pleased to record the above compromise arrived between the petitioners 1 to 3 and the defacto complainant and prays this Hon'ble Court to quash the F.I.R in Crime No.126/2017 on the file of the first respondent police in CrI.O.P. (MD) No.12968 of 2018. "

5. The learned Additional Public Prosecutor appearing for the first respondent submitted that investigation in Crime No.126 of 2017 is pending.

6. Considering the nature of allegations and also considering the fact that the dispute between the parties has been settled amicably and the second respondent/defacto complainant has no objection to quash the proceedings in Crime No.126 of 2017 and to that effect a joint memo of compromise has been filed on 01.08.2018, 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.126 of 2017 pending on the file of the first respondent in respect of the petitioners/accused Nos.1 to 3 are hereby quashed.

7. Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties. The joint compromise memo filed on 01.08.2018 shall form part of this order.

8. The learned counsel appearing for the petitioners submitted that the petitioners are willing to contribute some amount to the District Legal Services Authority, Vellore under the Head "Environmental Fund" to preserve the environment. Hence, each petitioner is directed to remit a sum of Rs.3,000/- (Total sum of



Rs.9,000/-) 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, Vellore, 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, Vellore 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 (CS-II)

/True Copy/

Sub Assistant Registrar (CS-IV)

Enclosure: Xerox Copy of Joint Compromise Memo

To

- 1.The Inspector of Police,
Gudalur South Police Station,
Gudalur, Theni 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,
Vellore.

+1cc to M/S.P.Mahendran, Advocate SR.No. 77123

Cr1.O.P.(MD) No.12968 of 2018
02.08.2018

mj

JM/SKN RSK/SAR 4/03.08.2018/3P/6C