



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
Cr1.O.P.(MD).No.18421 of 2018

and

Cr1.M.P(MD).No. 8052 of 2018

1.V.Karuppasamy Pandian
2.Allal Karthick

...Petitioners/Accused Nos.1 & 2

Vs

1.The State represented by
The Inspector of Police
Courtallam Police Station
Tirunelveli District
Crime No.368 of 2013

...Respondent/Complainant

2.N.Tamilarasi

...Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records pertaining to the case in C.C.No.53 of 2014 pending on the file of the learned Judicial Magistrate, Shencottai, Tirunelveli District and quash the same.

For Petitioners	:Mr.R.Anand
For R-1	:Ms.Bharathi
	Government Advocate
For R2	:Mr.Samuel Gunasingh

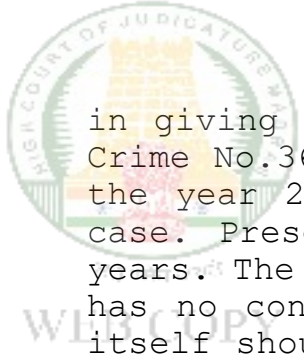
O R D E R

This Criminal Original Petition has been filed to quash the case in C.C.No.53 of 2014 pending on the file of the learned Judicial Magistrate, Shencottai, Tirunelveli District.

2.The final report was filed against the accused persons in C.C.No.53 of 2014, on the file of the Judicial Magistrate, Shencottai, Tirunelveli District for the alleged offences under Sections 294(b), 354(A)(1)(ii) and 506(ii) I.P.C.

3.During the course of proceedings, the parties have come to the compromise and have resolved to settle the dispute amicably.

4.The defacto complainant was present before this Court. This Court personally enquired the defacto complainant and she has made a statement that in the year 2013, there was a dispute between the petitioners and the defacto complainant and the same resulted



in giving the complaint before the respondent police registered in Crime No.368 of 2013. The defacto complainant also stated that from the year 2014 onwards, she did not know about the progress of the case. Presently, she is married and she has a child aged about 8 years. The defacto complainant stated that for the last 4 years, she has no contact with the petitioners. She thought that the dispute itself should be brought to an end, since she has a family to take care and she is now working as a teacher. Therefore, the defacto complainant stated that the entire case itself can be closed, since the parties have compromised the dispute among themselves.

5.Taking into consideration of the statement given by the defacto complainant before this Court and also taking into consideration of the fact that the parties have compromised with each other and settled the dispute, amicably, this Court is of the considered view that no useful purpose will be served in keeping the proceedings in C.C.No.53 of 2014 is pending. The first petitioner volunteered to pay a sum of Rs.50,000/- (Rupees fifty thousand only) to the "Cancer Institute" and the same is recorded. The first and second petitioners are directed pay a sum of Rs.50,000/- (Rupees fifty thousand only) to the "Cancer Institute (WIA) Gandhi Nagar Canal Bank Road, Adyar, Chennai- 20" (payable in Account No.149710011000002, Savings Bank, Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA) Campus, Sardar Patel Road, Chennai-36, Branch Name and Code: 1497,MICR No.600011049, IFSC Code: ANDB0001497) within a period of 10 days from the date of receipt of a copy of this order.

6.In the result, the proceedings in C.C.No.53 of 2014 on the file of the Judicial Magistrate, Shencottai, Tirunelveli District is hereby quashed.

7.Accordingly, this Criminal Original Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The Judicial Magistrate, Shencottai.

2.The Inspector of Police
Courtallam Police Station
Tirunelveli District



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

Copy to

The Cancer Institute (WIA)

Gandhi Nagar, Canal Bank Road, Adyar, Chennai- 20.

- 3 CCs TO Mr.R.Anand , ADVOCATE IN SR No. 90626.

msa

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