

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 04.11.2019
CORAM
THE HONOURABLE MR. JUSTICE M.S. RAMESH
Crl.O.P.No.29078 of 2019

1.Bala @ Balayogi
2.Sunitha Balayogi
3.Gangadharan
4.Palani
5.Suman
6.Venkatesan
7.Dayalan @ Deenadayalan
8.Dinesh Kumar ...Petitioners

Vs.

1.State rep.by
The Inspector of Police,
B-5, Manavala Nagar Police Station,
Thiruvallur District.
(Crime No.87 of 2016)
2.T.Vasanthakumar ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the case in C.C.No.182 of 2016 on the file of learned Judicial Magistrate - II, Thiruvallur in B-5 Manavala Nagar Police Station, Crime No.87 of 2016 on the file of the 1st respondent police herein and quash the same.

For Petitioners : Mr.R.Sasikumar

For Respondents : Mr.C.Iyyapparaj
Additional Public Prosecutor [for R1]

Mr.P.Prince Premkumar [for R2]

O R D E R

This Criminal Original Petition is filed to call for the records relating to the case in C.C.No.182 of 2016 on the file of learned Judicial Magistrate - II, Thiruvallur in B-5 Manavala Nagar Police Station, Crime No.87 of 2016 on the file of the 1st respondent police herein and quash the same.

2. It is stated by the learned counsel for the petitioners that pending the criminal complaint against the petitioners herein, the parties have amicably resolved the disputes among themselves and have also filed a Joint Compromise Memo to that effect.

3. In normal circumstances, this Court may not be inclined to quash the proceedings on the basis of compromise, if it involves to the offense under Section 307 IPC.

4. Nevertheless, the quashing of such proceedings would depend on the facts and circumstances on each and every case. In the instant case, the petitioners and the complainant belong to two different political parties and dispute arose with regard to issuance of tokens for Government free schemes.

5. Pursuant to the wordy quarrel on those dispute, the offense are said to have been committed. After the charge sheet filed in the year 2016, the parties have compromised the issue among themselves.

6. In view of the facts of this particular case, arising out of minor issue in a political rivalry, this Court is inclined to accept the compromise arrived at by the parties.

7. Recording the statements made in the joint memo of compromise, the proceedings in C.C.No.182 of 2016, pending on the file of the learned Judicial Magistrate - II, Thiruvallur, is quashed.

The Criminal Original Petition stands disposed of accordingly.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

bri
To

1.The Judicial Magistrate - II,
Thiruvallur.

2.The Inspector of Police
B-5 Manavala Nagar Police Station
Thiruvallur District

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

+4 ccs to Mr.R.Sasikumar Advocate sr91577

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