

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.30275 of 2018  
and CrI.M.P.Nos.17793 & 17795 of 2018

1. Sakthiraja
2. S.Madheswaran
3. Suresh
4. Suriya

...Petitioners

Vs.

- 1.State by,  
The Inspector of Police,  
Molasi Police Station, Molasi,  
Tiruchengode Taluk,  
Namakkal District.  
(Cr.No.24 of 2016)

2. Thangaraj
- ...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records concerned in Spl.C.C.No.5 of 2018 on the file of the Principal District Judge, Namakkal, Namakkal District and quash the same in so far as the petitioners are concerned.

For Petitioners : Mr.C.Prakasam

For R1 : Mr.M.Mohamed Riyaz  
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the Spl.C.C.No.5 of 2018 on the file of the Principal District Judge, Namakkal, for an alleged offence under Sections 3 (1) (r) and 3 (1) (s) of the SC/ST (POA) Amendment Act 2015, 352, 323 and 324 IPC r/w. 3 (2) (va) of SC/ST (POA) Amendment Act 2015.

2. The case is still in the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. An affidavit is filed by the second respondent/defacto complainant before this Court. In order to identify the

respective parties, they have also produced the copy of the Aadhaar Card and is made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the Spl.C.C. pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Spl.C.C.No.5 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.C.C.No. 5 of 2018, on the file of the Principal District Judge, Namakkal, is quashed. Each of the petitioner shall pay a sum of Rs.1000/- towards costs, to the credit of the Chief Justice Relief Fund, High Court, Madras, within a period of one week from the date of receipt of a copy of this order and to file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

msrm

To

1. The Inspector of Police,  
Molasi Police Station, Molasi,  
Tiruchengode Taluk,  
Namakkal District.

2. The Principal District Judge, Namakkal.

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

+1cc to Mr.C.Prakasam, Advocate SR.No.3219

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RSV (CO)  
GMY (07/02/2019)