



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2020

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.O.P(MD)No.5879 of 2020

WEB COPY

1.Karnan

2.Sudharsan

3.Muthuselvam

4.Muthukumar ... Petitioners/Accused Nos.1 to 4

Vs

1.The State represented by
Sub Inspector of Police,
Alagappapuram Police Station,
Karaikudi,
Sivagangai District. ... 1st respondent/complainant

2.Neelamegam @ Kannan ... 2nd Respondent /
Defacto complainant

Prayer: Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to FIR in Crime No.116 of 2020 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.J.Anandkumar
For Respondent : Mr.K.K.Ramakrishnan,
No.1 Additional Public Prosecutor

For Respondent : Mr.T.Balakrishnan
No.2

ORDER

The petitioners accused 1 to 3 in Crime No.116 of 2020 on the file of the Sub Inspector of Police, Alagappapuram Police Station, Karaikudi, Sivagangai District has filed this petition to quash the proceedings pending against them.

2.Today, when the matter has been taken up for hearing, the learned Counsel on either side submitted that a joint compromise memo dated 03.06.2020, signed by the respective parties and their respective learned Counsel has been filed that they have entered into a compromise to settle the dispute amicably and accordingly they also settled their differences in the presence of the elders.



3.The Joint Compromise dated 03.06.2020 is extracted hereunder:

"1.It is submitted that a case in Crime No.116 of 2020 on the file of the 1st respondent Police punishable under Section 294(b), 341 and 506(i) IPC was registered against the petitioners by the 1st respondent Police on the complaint of the 2nd respondent on 26.05.2020.

2.It is submitted that in order to threaten the petitioners, the second respondent preferred the above complaint. On the advice of the well-wishers, the petitioners and the second respondent buried their vengeance against each other. The petitioners and the second respondent entered into a compromise.

3.The second respondent submits that he has no objection to quash the proceedings pending against the petitioners in Crime No.116 of 2020 pending on the file of the first respondent Police. It is respectfully submitted that the brother of the 1st respondent also has no objection to quash the proceedings pending against the defacto complainant in Crime No.117 of 2020 for the offence punishable under Sections 294(b), 323 and 506(i) IPC.

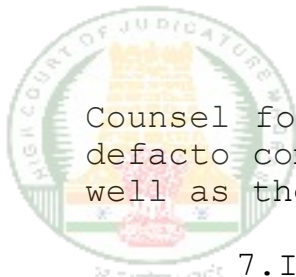
4.It is submitted that the parties are agreed to settle the dispute amicably and accordingly settled their differences in the presence of elders.

Therefore, it is prayed that this Hon'ble Court may be pleased to accept the compromise entered between the parties and quash the proceedings against the petitioners in connection with crime No.116 of 2020 on the file of the first respondent Police punishable under Sections 341, 294(b) and 506(i) IPC."

4.The parties and Mr.Poorna Chandran, Sub Inspector of Police, Alagappapuram Police Station, Karaikudi, Sivagangai District also appeared through video conferencing and the identity of the petitioners as well as the defacto complainant were verified by Mr.Poorna Chandran, Sub Inspector of Police. The photographs and Aadhaar cards of the respective parties were also verified.

5.The defacto complainant would submit that it is a case and counter and they also compromised the issue among themselves and they are willing to compromise case pending against them.

6.Mr.J.Anand Kumar, learned Counsel for the petitioners was <https://hcservices.goilbo.org> with the petitioners Mr.T.Balakrishnan, learned



Counsel for the defacto complainant was also present along with the defacto complainant and they have also identified the petitioners as well as the defacto complainant.

7. In view of the compromise arrived at between the parties that they have amicably settled their dispute among themselves, by recording the above said joint compromise memo dated 03.06.2020, the criminal original petition is allowed and the proceedings in Crime No.116 of 2020 on the file of the respondent Police is hereby quashed. The joint compromise dated 03.06.2020 shall form part of this order.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Encl: Xerox Copy of the Memo of Compromise.

dsk

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Sub Inspector of Police,
Alagappapuram Police Station,
Karaikudi,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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26.06.2020

PU (CO)

NR (11/01/2020) 3P : 3C