



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.11131 of 2020

WEB COPY

- 1.Sasi @ Arumugam
- 2.Ravi @ Ravichandran
- 3.Sumathi
- 4.Vijaya

... Petitioners/A1 to A4

Vs

- 1.The Deputy Superintendant of Police,
Kulithalai,
Karur District.

- 2.The State rep. by
The Inspector of Police,
Kulithalai Police Station,
Karur.

... Respondents 1 & 2/Complainants

- 3.Palanivel

... Respondent 3/Defacto Complainant

- 4.Sankar

- 5.Badhmavadhi

- 6.Thaiammal

... Respondents 4 to 6/Victims

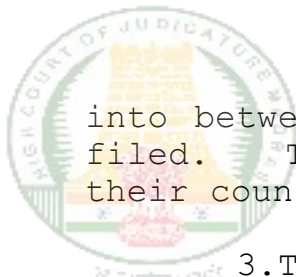
PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records in S.C.No.68 of 2019 pending on the file of the Principal District and Sessions Court, Karur and quash the same.

For Petitioners	: Mr.A.Sivasubramanian
For Respondents	: Mr.M.V.Chandrasekaran, Govt. Advocate (Crl. Side) for R1 & R2 M/s.A.Jegatha for R3 to R6

O R D E R

Heard the learned counsel appearing for the petitioners, the learned Government Advocate appearing for the first and second respondents and the learned counsel appearing for the respondents 3 to 6.

2.The petitioners are facing trial in S.C.No.68 of 2019 on the file of the Principal District and Sessions Court, Karur for the offences under Sections 294(b), 323, 324 and 506(i) of I.P.C. and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. The third respondent is the defacto complainant. The defacto complainant and other victims have no objection for quashing the impugned proceedings. On the strength of the compromise entered



into between the parties, this criminal original petition has been filed. The defacto complainant and the victims are identified by their counsel namely., M.Jegatha.

3.The learned Government Advocate confirms that the issues has been amicably resolved between the parties. But then, I wanted to know whether the victims received compensation from the administration. Palanivel fairly stated that sofar each of them has received a sum of Rs.1,50,000/- from the administration. This comes to Rs.6,00,000/-.

4.I made it clear that unless this amount is refunded to the Government, the question of quashing the impugned proceedings will not arise. The learned counsel for the petitioners states that the petitioners would deposit the amount of Rs.6,00,000/- to the credit of S.C.No.68 of 2019 on the file of the Principal District and Sessions Court, Karur within a period of four weeks from the date of receipt of a copy of this order.

5.Since the parties have resolved the issue amicably and buried the hatchet, I am of the view that keeping the proceedings alive will not serve any purpose. I have also balanced the interest of justice by directing return of the compensation amount.

6.Subject to the aforesaid conditions, the impugned proceedings stand quashed. After amount is deposited, the court below will coordinate with the district administration and ensure that the amount returns to the Government exchequer. If the petitioners fail to adhere to the aforesaid condition, the order quashing the impugned proceedings will not have any effect and the impugned proceedings will go on. The criminal original petition is allowed accordingly.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 Principal District and Sessions Judge,
Karur, Karur District.
- 2.The Deputy Superintendant of Police,
Kulithalai,
Karur District.
- 3.The Inspector of Police,
Kulithalai Police Station,
Karur.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The District Collector,
Karur District, Karur.

Crl.O.P (MD) No.11131 of 2020
12.10.2020

VB (21.10.2020) 3P 6C