



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.11633 of 2020

L.Vinoth

... Petitioner

Vs

1.State through the

The Deputy Superintendant of Police,
O/o. the Deputy Superintendant of Police,
Samayanallur Sub Division,
Madurai District.

2.The State through

The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.

(In Crime No.244 of 2016)

3.Balamurugan

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records of impugned charge sheet in Spl.S.C.No.8 of 2020 in Crime No.244 of 2016 pending on the file of the III Additional District and Sessions Court (PCR), Madurai and quash the same as illegal.

For Petitioner

: Mr.I.Sabeer Mohamed

For Respondents

: Mr.M.V.Chandrasekaran,

Govt. Advocate (Crl. Side) for R1 & R2

Mr.A.Abdul Kabur for R3

O R D E R

Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the first and second respondents and the learned counsel appearing for the third respondent.

2.The petitioners are facing trial in Spl. S.C.No.8 of 2020 on the file of the III Additional District and Sessions Court (PCR Court), Madurai, for the offences under Sections 447 and 294(b) of I.P.C. and Sections 3(1)(r) and 3(1)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992.

3.The third respondent is the defacto complainant. The defacto complainant has 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 is identified by his counsel.

4.The learned Government Advocate confirms that the issues has been amicably resolved between the parties. But then, I wanted to know whether the the defacto complainant received compensation from the administration. Balamurugan/defacto complainant stated that he has not received any compensation sofar.

4.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. Hence, the impugned proceedings stand quashed. The criminal original petition is allowed.

Sd/-

Assistant Registrar (CSIII)

// 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 III Additional District and Sessions Court (PCR Court),
Madurai.
- 2.The Deputy Superintendant of Police,
O/o. the Deputy Superintendant of Police,
Samayanallur Sub Division,
Madurai District.
- 3.The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KG (CO)

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