



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

CrI.OP(MD)No.2381 of 2021

1.Senthil @ Malaiyandi
(wrongly mentioned in FIR as Malaisamy)

2.Praveen @ Praveenkumar

3.Aravinth @ Aravindhnan

4.Ragu @ Erattikalragu

5.Lenin @ Elilarasan

6.Rajasekar @ Rajasekaran

7.Kaviyarasan

8.Malaisamy

9.Thirugnanam

10.Gopalakrishnan (Died) ... Petitioners/Accused Nos.1 to 10
vs.

1.The Deputy Superintendent of Police,
Melur,
Madurai District.

2.The Sub Inspector of Police,
Melur Police Station,
Melur, Madurai District.
(Crime No.35 of 2016)

... Respondents/Complainants

3.Premkumar ... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in pertaining to the Spl.S.C.No.114 of 2018 on the file of the III Additional District and Session Judge, (PCR), Madurai and quash the same as illegal.

For Petitioners : Mr.T.Vadivelan

For R1 & R2 : Mr.M.V.Chandrasekar
Government Advocate(Criminal Side)

<https://hcservices.courts.gov.in/hcservices/>

For R3 : Mr.M.Palani



O R D E R

This petition has been filed seeking to quash the Spl.S.C.No.114 of 2018 on the file of the III Additional District and Session Judge, (PCR), Madurai.

2.The contention of the petitioners is that based on the complaint lodged by the third respondent, the second respondent registered a case in Crime No.35 of 2016 for the offences punishable under Sections 147, 294 (b), 323, 506 of IPC r/w 3 (1) (x) SC/ST Act and Section 3 (2) (va) of POA Act, 2014.

3.The further contention of the petitioners is that they compromised the issue with the second respondent amicably. A joint memo of compromise is filed, which has been duly signed by the petitioners and the third respondent and also by their respective counsels.

4.The petitioners and the third respondent appeared in person along with their respective counsels and also produced their Aadhar cards before this Court. They were also identified by the learned Government Advocate (Criminal side) and Mr.A.Jeyakumar, Special Sub-Inspector of Police, Melur Police Station, Melur, Madurai District. Both the parties to compromise were enquired by me and they accepted the terms of compromise. Hence the Compromise Memo is recorded.

5. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memo, dated 02.02.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Spl.S.C.No.114 of 2018, on the file of the III Additional District and Session Judge, (PCR), Madurai, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Enclose here with copy to the Joint compromise memo

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1. The III Additional District and Session Judge,
(PCR), Madurai.

2. The Deputy Superintendent of Police,
Melur,
Madurai District.

3. The Sub Inspector of Police,
Melur Police Station,
Melur, Madurai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ(06.08.2021) 3P 5C