



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.2753 of 2021

WEB COPY

1.Vengai
2.Muthuchamy
3.Paulpandi
4.Sellammal
5.Muthumari
6.Suresh Prathab @ Senthil Kumar ... Petitioners / Accused
1 to 6

Vs.

1.State represented by its
The Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.239 of 2013) ... Respondent No.1 /
Complainant

2.Irulandi ... 2nd Respondent /
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records of pending case in S.C.No.307 of 2020 on the file of the learned Principal Sub Court, Madurai in Crime No.239 of 2013 dated 18.09.2013 for the offences under Sections 147, 148, 341, 323, 324, and 307 of IPC registered by the 1st respondent police and to quash the same.

For Petitioners : Mr.J.Vijayraja
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1.
Mr.B.Veerapandi for R2.

O R D E R

This criminal original petition has been filed for quashing the proceedings in S.C.No.307 of 2020 on the file of the learned Principal Sub Court, Madurai, for the offences under Sections 147, 148, 341, 323, 324 and 307 of IPC.

2.The petitioners give a solemn undertaking before me that they will not interfere with the family of the second respondent. The defacto complainant/Irulandi and the victim/Muthulakshmi are present before this Court in person. They have been duly identified by Mr.R.Rajasekarn, Sub Inspector of Police attached to first respondent police. The parties have also filed a memo of



joint compromise dated 11.01.2021. The victim as well as the defacto complainant have no objection for quashing the impugned proceedings. When the parties have arrived at an amicable settlement and the defacto complainant does not want to pursue the complaint, no purpose will be served in keeping the prosecution alive. It is stated that one of the persons named in the FIR was a juvenile at the time of occurrence. However, the Juvenile Justice Board is yet to take cognizance on the same. Since the defacto complainant wants this Court to give quietus to this issue, the proceedings stand quashed as a whole and the benefit of the said order will inure in favour the juvenile also.

3.The criminal original petition is allowed accordingly.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

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:

(Encl : Joint Compromise Memo)

1.The Principal Sub Judge,
Madurai.

2.The Inspector of Police,
Silaiman Police Station,
Madurai District.

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

+4 CC to M/s.J. VIJAYARAJA, Advocate (SR-35585[F] dated 24/11/2021)

Cr1.O.P(MD)No.2753 of 2021
23.11.2021

TSK(CO)

SP(30-11-2021)-2P 8C
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