



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

CrI.OP(MD)No.3063 of 2021

P.Sankaralingam

... Petitioner/Accused (Single)

vs.

1.The Deputy Superintendent of Police,
Vilathikulam Sub-Division,
Thoothukudi District.

2.The Inspector of Police,
Kulathur Police Station,
Thoothukudi District.
(Crime No.1 of 2020)

... Respondents 1& 2 / Complainants

3.M.Saravanakumar

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the entire records pertaining to the case in S.C.No.125 of 2020 pending on the file of the learned Special Court for Trial of Cases under SC and ST (POA) Act, Thoothukudi and quash the same as against the petitioner.

For Petitioner : Mr.R.Anand

For R1 & R2 : Mr.K.Sanjai Gandhi

Government Advocate(Criminal Side)

For R3 : Mr.P.Samuel Guna Singh

O R D E R

This petition has been filed to quash the case in S.C.No.125 of 2020 pending on the file of the learned Special Court for Trial of Cases under SC and ST (POA) Act, Thoothukudi.

2.The defacto complainant and the petitioner appeared through video conference from the office of the learned Government Advocate (CrI.Side) and during the course of enquiry, the defacto complainant stated that since he and the petitioner belong to the same village, he entered into compromise with the petitioner.

3.The contention of the petitioner is that based on the complaint lodged by the third respondent, the second respondent registered a case in Crime No.1 of 2020 for the offences punishable under Sections 294(b), 324 of I.P.C and Section 3 (1) (r), 3 (1) (s) and 3 (2) (va) of SC/ST (POA) Amendment Act, 2015, against the petitioner.



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

WEB COPY

5.The petitioner and the third respondent appeared through video conference from the office of the learned Government Advocate (CrI.Side) 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.Kumaresan, Special Sub-Inspector of Police, Kulathur Police Station, Thoothukudi District. Both the parties were enquired by me and they accepted the terms of compromise. Hence the Compromise Memo is recorded.

6. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, dated 23.02.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending.

7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.C.No.125 of 2020, pending on the file of the learned Special Court for Trial of Cases under SC and ST (POA) Act, Thoothukudi, is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Special Court for Trial of Cases under SC and ST (POA) Act, Thoothukudi.

2.The Deputy Superintendent of Police,
Vilathikulam Sub-Division,
Thoothukudi District.

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



3.The Inspector of Police,
Kulathur Police Station,
Thoothukudi District.

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

CrI.OP (MD) No.3063 of 2021
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PS (CO)
KB (17.08.2021) 3P 5C