



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2021

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P. (MD) No.9091 of 2021

- 1.Mahesh
- 2.Naveen
- 3.Ajith Kumar
- 4.Selva
- 5.Vasanth
- 6.Venkadesan
- 7.Karthick
- 8.Ayyanarselvam
- 9.Jeyapal
- 10.Aravind

... Petitioners

Vs.

- 1.The Deputy Superintendent of Police,
Melur Taluk,
Madurai District.
- 2.The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
In Crime No.333 of 2018

- 3.Kaveri

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records from the 1st respondent Police FIR in Crime No.333 of 2018, on the file of the Keelavalavu Police Station, Melur Taluk, Madurai District and quash the same as devoid of merits.



For Petitioners : Mr.S.Atham Ali

For R1 & R2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

WEB COPY For R3 : Mr.K.Suresh Kumar

ORDER

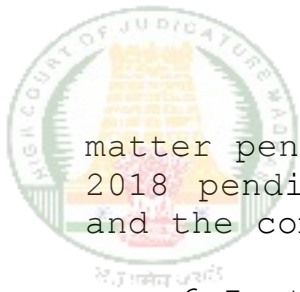
This petition has been filed seeking to quash the impugned FIR in Crime No.333 of 2018 on the file of the 2nd respondent police.

2.The contention of the petitioners is that based on the complaint lodged by the 3rd respondent, the 2nd respondent registered the First Information Report in Crime No.333 of 2018 for the offences punishable under Sections 147, 148, 341, 109, 294 (b), 336, 324 and 506(1) of IPC and Sections 3(1)(r), 3(1)(s), 3(1)(w)(ii), 3(2)(v) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, against the petitioners.

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

4.The petitioners and the 3rd respondent appeared through video conference from the Office of the Additional Public Prosecutor (Crl.Side) before this Court along with their counsels on 15.09.2021 and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor (Crl.Side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded. But for the purpose of repayment of compensation amount by the defacto complainant and for production of recent passport size photographs of some of the persons, the matter has been listed today. Today, the learned counsel for the defacto complainant circulated the original remittance challon, which shows that the amount of Rs.50,000/- which was already received by the defacto complainant towards the compensation amount was remitted to the Government Account on 05.10.2021. Recent photographs of all persons have been affixed.

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 15.04.2021, this Court is of the opinion that no useful purpose will be served by keeping the



matter pending. Hence, all further proceedings in Crime No.333 of 2018 pending on the file of the 2nd respondent police is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.333 of 2018, pending on the file of the 2nd respondent police is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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

Enclose copy of Joint Compromise Memo.

- 1.The Deputy Superintendent of Police,
Melur Taluk,
Madurai District.
- 2.The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.9091 of 2021
07.10.2021

RK (27/10/2021) 3P 4C