



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19152 of 2021

Palanisamy @ Kannisamy ... Petitioner/ Sole Accused
Vs.

1.The State rep. by
The Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
(In Crime No.43 of 2019) ... Respondent/ Complainant

2.Kasipandiyan ... Respondent/
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the proceedings in Spl.S.C.No.38 of 2019 on the file of the Special Court for SC/ST (POA) Act, Srivilliputhur, Virudhunagar District and quash the same.

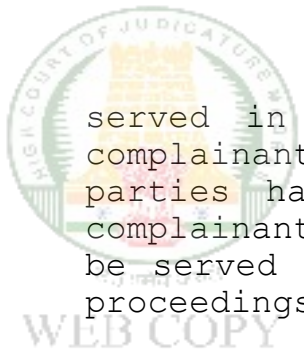
For Petitioner : Mr.B.Viswanathan
For Respondent : Mr.A.Albert James,
Govt. Advocate (Crl. Side) for R1.

Mr.T.Sugadev for R2.

O R D E R

This criminal original petition has been filed to quash the impugned proceedings in Spl.S.C.No.38 of 2019 on the file of the Special Court for SC/ST (POA) Act, Srivilliputhur, Virudhunagar District.

2.The defacto complainant/Kasipandiyan is present before this Court in person. He has been duly identified by Mr.R.Manickam, HC 745 attached to first respondent police station. The defacto complainant states that he has not received any compensation from the Government. Therefore the question of refund does not arise. The defacto complainant categorically states before this Court that he does not want to pursue the complaint. The parties have also filed a memo of joint compromise dated 30.11.2021. Since the parties have arrived at an amicable settlement, no purpose will be



served in keeping the impugned prosecution alive. The defacto complainant does not want to pursue the complaint. 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 impugned prosecution alive. The impugned proceedings are quashed. The criminal original petition is allowed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ias

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 SC/ST (POA) Act,
Srivilliputhur,
Virudhunagar District.
- 2.The Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutore,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P (MD) No.19152 of 2021
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RD(15.12.2021) 2P 4C