



WEB COPY

1

CRL.O.P.(MD)NO.19859 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Cr1.O.P.(MD)No.19859 of 2021 and

CRL.M.P.(MD)Nos.11178 & 11179 of 2021

Dinesh Kumar @ Muthu Dinesh

... Petitioner / Accused No.4

Vs.

1. The Deputy Superintendent of Police,
Manamadurai Sub Division,
Manamadurai,
Sivagangai District.

2. State rep. By its,
The Inspector of Police,
Manamadurai police station,
Sivagangai District.
(Crime No.200 of 2021)

... Respondents / Complainants

3. Manikandan

... Respondent /Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to quash the proceedings in Spl.S.C.No.14 of 2021 pending on the file of the learned Sessions Judge, (PCR) Court, Sivagangai.

For Petitioner : Mr.P.Ganapathi Subramanian
For R-1 & R-2 : Mr.A.Albert James,
Government Advocate.

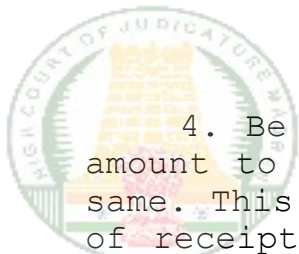
* * *

O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed to quash the impugned proceedings in Spl.S.C.No.14 of 2021 on the file of the Sessions Judge, (PCR) Court, Sivagangai.

3. The defacto complainant Manikandan is present in person before me. He has been duly identified by Mr.Jahangir, SSI, attached to Manamadurai police station. The defacto complainant states that he has no objection for quashing the impugned prosecution. The defacto complainant Manikandan states that the compensation disbursed by the Government had been credited in his account and he is not sure about the quantum.



4. Be that as it may, he undertakes to return the compensation amount to the Department. The Department is directed to accept the same. This shall be done within a period of four weeks from the date of receipt of a copy of this order. Compliance memo shall also be filed before this Court.

WEB COPY

5. The parties have arrived at a compromise. Since the defacto complainant himself does not want to pursue the matter, no purpose will be served in keeping the impugned prosecution alive. Therefore, the impugned proceedings are quashed in toto. The benefit of this order will enure in favour of the non-petitioning accused also.

6. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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 Sessions Judge, (PCR) Court, Sivagangai.
2. The Deputy Superintendent of Police,
Manamadurai Sub Division, Manamadurai,
Sivagangai District.
3. The Inspector of Police,
Manamadurai police station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-38709[F] dated 14/12/2021)

Crl.O.P.(MD)No.19859 of 2021
14.12.2021