



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1517 of 2022

1.Shanmugaraj
2.Thavasi

... Petitioners/Accused Nos.1 & 2

Vs.

1.The Deputy Superintendent of Police,
Vilathikulam,
Thoothukudi District. ... 1st Respondent/Investigating Officer

2.The State represented by
The Inspector of Police,
All Women Police Station,
Vilathikulam,
Thoothukudi District.
(*) (Crime No.12 of 2016) ... 2nd Respondent/Complainant

3.Karthika ... 3rd Respondent/Defacto Complainant

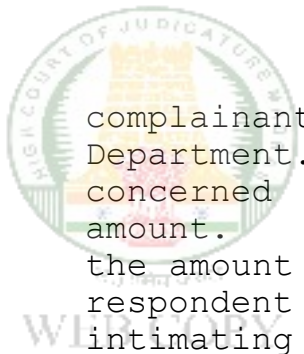
Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records relating to the charge sheet in S.C.No.83 of 2020 on the file of the Additional Sessions Judge under SC/ST Act, (PCR Court), Thoothukudi and quash the same as far as the petitioners are concerned.

For Petitioners : Mr.S.Loganathan
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional public Prosecutor for R.1 & R.2

ORDER

This Criminal Original Petition has been filed for quashing the impugned proceedings. The case involves offences under Sections 417, 376 and 506(1) IPC and 3(1)(w)(i) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. The defacto complainant has received a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) from the Government by way of compensation. It is specifically undertaken by the defacto



complainant that the said amount will be returned to the concerned Department. The concerned Department shall accept the same. The concerned Department shall not refuse to accept the return of amount. The defacto complainant refused to accept the return of the amount by stating that she does not have any account. The second respondent is directed to file a compliance report before this Court intimating that the defacto complainant has returned the amount to the Department concerned within a period of one month from the date of receipt of copy of this order. Since the parties have arrived at an amicable settlement, no purpose will be served in keeping the impugned proceedings alive. The parties have also filed a joint compromise memo dated 28.01.2022. The impugned proceedings are quashed. The Criminal Original Petition is allowed. The compromise memo shall form part of the order.

Sd/-

Assistant Registrar(CS-III)

(*) Amended as per order of this court dated 01.03.2022 in CRL.MP (MD).No. 2892/2022 in CRL OP(MD).No. 1517/2022

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2022

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.

Encl.: xerox copy of joint compromise memo.

To

(*) to be substituted the order already despatched on 16.02.2022

1. The Additional Sessions Judge under SC/ST Act, (PCR Court), Thoothukudi.
2. The Deputy Superintendent of Police, Vilathikulam, Thoothukudi District.
3. The Inspector of Police, All Women Police Station, Vilathikulam, Thoothukudi District.

4. The Additional Public Prosecutor,

<https://hcservices.madurais.gov.in/Reservices/> of Madras High Court, Madurai.



+1 CC to M/s.E.SATHEESH, Advocate (SR-2874[F] dated 28/01/2022)

Crl.O.P(MD)No.1517 of 2022
28.01.2022

TR(15.02.2022) 3P 6C

KB(10.03.2022) 3P 6C