



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD).No.5803 of 2022

1.Sathish
2.Sarath
3.Prabhu

...Petitioners/Accused Nos 1 to 3

Vs.

1.The State,

Represented by the Deputy Superintendent of Police,
Devakottai Taluk, Devakottai,
Sivagangai District.

(Crime No.330 of 2015) ... 1st Respondent/Investigation Officer

2.State rep. by

The Inspector of Police,
Devakottai Taluk Police Station
Devakottai
Sivagangai District

(Crime No.330 of 2015) ... 2nd Respondent/Complainant

3.Murugesan

...3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the impugned charge sheet in Spl.S.C.No.49 of 2018 pending on the file of the Special Court for Exclusive Trial of Cases under SC ST Act, Sivagangai and quash the same as illegal.

For Petitioners : Mr.P.Krishnaveni

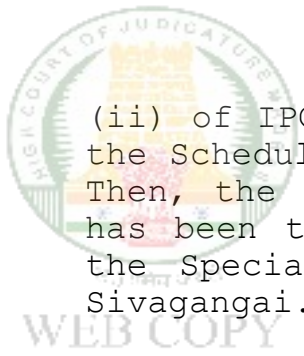
For R1 ad R2 : Mr.B.Thanga Aravindh
Government Advocate(Crl.Side)

For R3 : Mr.K.Bharathi

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in Spl.S.C.No.49 of 2018 pending on the file of the Special Court for Exclusive Trial of Cases under SC ST Act, Sivagangai.

2.The case of the prosecution is that due to previous enmity, on 17.07.2015 the petitioners attacked the third respondent. Therefore, the respondent police had registered a case in crime No.330 of 2015 for the offences under Sections 294(b), 324 and 506



(ii) of IPC r/w Sections 3(1)(r) 3(1)(s) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. Then, the first respondent had filed the charge sheet and the same has been taken cognizance in Spl.S.C.No.49 of 2018 on the file of the Special Court for Exclusive Trial of Cases under SC/ST Act, Sivagangai.

3. When the matter is taken up for hearing, the learned Counsel appearing for the petitioners stated that there is a mutual understanding between the petitioners and the third respondent herein. Further, they had amicably settled the issue. Hence, there is no need of further proceedings in Spl.S.C.No.49 of 2018, which is pending before the file of the Special Court for Exclusive Trial of Cases under SC/ST Act, Sivagangai.

4. Today, the defacto complainant present before this Court and stated that he has received the compensation amount i.e., Rs.22,500/-.

5. In view of the above, the third respondent is directed to return the atrocity fund under the Scheduled Caste and Scheduled Tribes Act to the District Adi Dravidar Welfare Officer, Sivagangai on or before **12.04.2022**, failing which, this order automatically stands cancelled.

6. With the above direction, the criminal original petition is allowed. Accordingly, the proceedings in Spl.S.C.No.49 of 2018 are quashed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

To

1. The Judge,
Special Court for Exclusive Trial of Cases under SC ST Act,
Sivagangai.
2. The Deputy Superintendent of Police,
Devakottai Taluk, Devakottai,
Sivagangai District.



3.The Inspector of Police,
Devakottai Taluk Police Station,
Devakottai,
Sivagangai District.

4.The District Adi Dravidar Welfare Officer,
Sivagangai.

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

+1 CC to M/s.P. KRISHNAVENI, Advocate (SR-16565[F] dated 05/04/2022)
Crl.O.P. (MD) .No.5803 of 2022
05.04.2022

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