



CrI.O.P.(MD)No.22087 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **20.12.2023**

CORAM:

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

CrI.O.P.(MD) No.22087 of 2023

and

CrI.M.P(MD) Nos.17281 and 17285 of 2023

1. Raja Pradeep
2. Kumar
3. Rakkappan
4. Ilangovan
5. Karunakaran
6. Pandiyammal
7. Kavi Prakash
8. Rajkumar
9. Vivekananthan
10. Rajendran
11. Murugesan
12. Bharathi
13. Pandi
14. Sekar



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15. Kathiresan

16. Panjavarnam

17. Rajesh

18. Dhipakar @ Divakaran

19. Ganaka Rani @ Kanaga Rani

... Petitioners /Accused Nos.
1 to 19

Vs.

1. The Deputy Superintendent of Police,
Sivagangai Sub-Division,
Sivagangai.

2. The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(Crime No.220 of 2022).

... 1st and 2nd Respondents /
Complainants

2. Malaisamy

... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records in relating to the impugned Charge Sheet in Spl.S.C.No.53 of 2023 on the file of the Special Court for Exclusive Trial of cases under SC/ST (POA) Act, 1989, Sivagangai, and to quash the same.

For Petitioners : Mr.S.Vidhya Sagar

For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

For R2 : Mr.M.S.Jeyakarthik



ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in Spl.S.C.No.53 of 2023 on the file of the Special Court for Exclusive Trial of cases under SC/ST (POA) Act, 1989, Sivagangai.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.220 of 2020 for the offences punishable under Sections 147, 148, 286, 294(b), 448, 324, 427 and 506(ii) IPC and Sections 3(1)(r) and 3(1)(s) of SC/ST (PoA) 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 learned Government Advocate (Crl.Side) would submit that recommendation is made to the compensation amount. Only the proposal is pending with the competent authority to dispose the compensation amount to the defacto complainant. So far, it was not fixed and disposed



to the defacto complainant.

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5. The defacto complainant has filed an affidavit that if any compensation amount is credited in his account, in future, it may be returned to the Government.

6.The petitioners and the 3rd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (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.

7.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 20.12.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Spl.S.C.No.53 of 2023 pending on the file of the Special Court for Exclusive Trial of cases under SC/ST (POA) Act, 1989, Sivagangai, is quashed and the compromise memo is recorded.



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8.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Spl.S.C.No.53 of 2023, pending on the file of the Special Court for Exclusive Trial of cases under SC/ST (POA) Act, 1989, Sivagangai, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, connected Miscellaneous Petitions are closed.

20.12.2023

Index : Yes/No

Internet : Yes/No

Indu

To

- 1.The Special Court for Exclusive Trial of cases under SC/ST (POA) Act 1989, Sivagangai.
- 2.The Deputy Superintendent of Police,
Sivagangai Sub-Division,
Sivagangai.
- 3.The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

Indu

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