



Crl.O.P.(MD) No.4030 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.4030 of 2024

Senthilkumar ... Petitioner / Accused

Vs.

1.The Deputy Superintendent of Police,

Kulithalai Sub Division,

Palaviduthi Police Station,

Karur District.

2.The Inspector of Police

Palaviduthi Police Station,

Karur District. Crime No. 2/2020 ... Respondents 1&2/Complainants

3.Durairaj ... 3rd Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the case in Spl. S.C.No. 4 of 2023 on the file of the learned Principal Sessions Judge, Karur and to quash the same.

For Petitioner : Mr.M.Suresh

For R1 & R2 : Mr.M.Veeranthiran
Government Advocate (Crl.side)

For R3 : Mr.A.N.Ramanathan



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ORDER

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The learned Counsel for the Petitioner submits that the Petitioner had filed this Petition to quash the charge sheet in Spl. S.C.No. 4 of 2023 on the file of the learned Principal Sessions Judge, Karur.

2. Earlier, ie. on 25.03.2024, when the matter was taken up for hearing, the learned Counsel for the Petitioner submitted that the Petitioner is arrayed as Sole Accused. After the charge sheet was filed, during the pendency of the case, the sole accused and the *defacto* complainant had entered into compromise. Joint compromise memo is also recorded. It is the objection of the learned Government Advocate (Crl.side) that when there is compromise, the *defacto* Complainant, who was paid compensation under the victim compensation Act, has to repay the compensation amount to the account of the Government. Here in this case, the *defacto* Complainant himself had undertaken to repay the amount to the account of the Government. The report of the same has to be made available by the Investigation Officer in this case. On request of the learned Government Advocate (Crl.side), the matter was posted today (ie.27.03.2024).



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3. Today (ie.27.03.2024), when the case came up for hearing, the learned Counsel for the defacto complainant submits the defacto complainant himself had deposited the compensation amount paid to the Treasury to the Credit of 00402-Directorate of Adi Dravidar Welfare Department. He had also furnished the uploaded copy of E-challan payable at District Treasury Office, Karur.

4.Mr.A.N.Ramanathan (Mobile No:99449 43036), learned Counsel for the third Respondent / Defacto complainant appeared and filed vakalat in this case.

5. The learned Government Advocate (Crl.side), on instructions of the Respondents 1 and 2, fairly conceded the same and the status report also filed and verified the identity proofs of the defacto complainant as well as the Accused. The same is recorded.

6. In the light of the status report of the first Respondent Police and the joint compromise memo filed by the learned Counsel for the Petitioner / Sole Accused and the learned Counsel for the defacto



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complainant, the charge sheet in Spl. S.C.No. 4 of 2023 on the file of the learned Principal Sessions Judge, Karur, is hereby quashed. The Joint Compromise Memo shall part and parcel of the order.

7. Accordingly, this ***Criminal Original Petition*** is allowed.

Internet :Yes./No
Index :Yes/No
NCC : Yes/No
LS

27.03.2024

To

- 1.The Principal Sessions Judge,
Karur.
- 2.The Deputy Superintendent of Police,
Kulithalai Sub Division,
Palaviduthi Police Station,
Karur District.
- 3.The Inspector of Police
Palaviduthi Police Station,
Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

LS

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