



Crl.O.P.(MD)No.5152 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.5152 of 2024

Mayakannan,

... Petitioner

Vs

The State represented by
1. The Inspector of Police,
Aruppukottai Taluk Police Station,
Virudhunagar District.
Crime No. 33 of 2024.

2. Muthukumar,

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to Crime No. 33 of 2024 dated 21.02.2024 on the file of the Aruppukottai taluk police station, Virudhunagar District and quash the same.



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For Petitioner : Mr.J.Mohamed Ibrahim
For R1 : Mr.M.Sakthi Kumar
Government Advocate(Crl.side)
For R2 : Mr.K.Yasar Arafath

ORDER

The petitioner is accused in Crime No.33 of 2024 on the file of the first respondent Police Station, which was registered for the offence under Sections 279 and 337 IPC.

2.The case of the prosecution is that on 21.02.2024, while driving his minibus, the petitioner hit the defacto complainant and the defacto complainant fell down from his two-wheeler and sustained simple injuries. Hence the case in Crime No.33 of 2024 was registered.

3.It appears that the accused has paid a sum of Rs.50,000/- as compensation to the Defacto complainant, they have amicably resolved their issue and a compromise memo signed by the parties, to that effect is also filed before this Court. Therefore, the learned Counsel for the petitioner sought for quashing the proceedings.



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4.Before entertaining this application, this court has directed the investigation officer namely Mr.R.Dasaratan, Sub Inspector of Police, Aruppukottai Taluk Police Station, Virudhunagar, in Crime No.33 of 2024 to personally verify with the defacto complainant and to ascertain whether the compromise is voluntary one, without any threat or coercion. The investigating officer after due verification has filed his report as under:

This is to certify that, as directed by this Court in CrI.O.P.(MD)No.5152 of 2024, I personally verified the defacto complainant in Cr.No.33 of 2024, for the offence under Sections 279 and 337 IPC and ascertained that the compromise arrived between the accused and the defacto complainant/victims in the above case is voluntary, without any threat or coercion.

I further clarify that there are no other victims in this case, except the victims appeared before this Hon'ble Court today.

5.Though certain offence are non-compoundable, in order to avoid further conflict between the parties, this Court is inclined to quash the proceedings.

6.The parties are present. This Court has also verified the parties with their Aadhaar cards. The defacto complainant has expressed his willingness



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to solve the issue. Since the parties have reached a settlement, the continuance of legal proceedings would serve no purpose. The conflict is between the private individuals and it is not affecting the society at large.

7.In view of the same, by recording the compromise memo this criminal original petition is allowed and the case in crime No.33 of 2024 pending on the file of the first respondent is hereby quashed. The joint compromise memo shall form part and parcel of this order.

12.04.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
LR



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B.PUGALENDHI,J

LR

To

1. The Inspector of Police,
Aruppukottai Taluk Police Station,
Virudhunagar District.

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

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