

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 1139 OF 1999

K. KANDASAMY & ANR

Appellant (s)

VERSUS

K.P.M.V.P. CHANDRASEKARAN

Respondent(s)

(With appln(s) for permission to compound the offence and with office report)

Date: 26/04/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ARUN KUMAR

For Appellant(s)

Mr. S. Muralidhar, Adv.

For Respondent(s)

Mr. Balaji Srinivasan, Adv.

Mr. V.Sudeer, Adv.

Mr. MBRS. Raju, Adv.

Ms. Sunita, Adv.

Mr. S.Sachin, Adv.

Mr. J.B. Ravi, Adv.

Mr. Riju Raj Jamawal, Adv.

Ms.M.Sailaia, Adv.

Mr. K.V. Vijayakumar, Adv.

UPON hearing counsel the Court made the following

J U D G M E N T

The appeal is disposed of in terms of the signed judgment placed on the file.

NON-REPORTABLE.

(Sheetal Dhingra)

(Anand Sing

h)

Court Master

Court Master

[Signed judgment is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No.1139 OF 1999

K. KANDASAMY & ANR

Appellant (s)

VERSUS

K.P.M.V.P. CHANDRASEKARAN

Respondent(s)

J U D G M E N T

B.P.Singh,J.

This matter has been settled between the parties happily and a joint application has

been filed by the appellant and the respondent under Section 320(5) Cr.P.C. for compounding the

offence. A joint application is accompanied by affidavits of both the appellants and the

respondent. The terms have been set out in para 3 of the joint petition, which is as follows :-

"(a)The aggregate fine amount of Rs.8,000/- paid into the Court of the Judicial Magistrate, Tuticorin by both the appellants will be made

over to the respondent.

(b)No further disputes of any nature will be raised by either the appellants or the respondent in respect of the matters concerning the present case."

Having regard to the facts of the case, we are of the view that permission may be

granted to the parties to compound the offence. Accordingly, permission is granted and order is

passed in terms of the settlement reached between the parties which is extracted above.

In view of the compounding of the offence, appellants are acquitted of the offence

under Section 500 IPC with which they were charged and convicted.

The appeal is disposed of in the above terms.

It is agreed before us that the amount payable under the settlement to the

respondent has already been deposited in the court of Judicial Magistrate, Tuticorin.

The respondent may move an application before the court for withdrawal of that

amount and the court shall pass appropriate orders.

.J.

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(B.P. SINGH)

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.....J

(ARUN KUMAR)

New Delhi

April 26, 2005.