



Crl.O.P.(MD)No.9628 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **05.06.2023**

CORAM:

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

Crl.O.P.(MD) No.9628 of 2023

1. Abdhul Rawthar Nishtar

2. Mohamed Abdullah

3. Mohamed Ibrahim

4. Ayyanar

... Petitioners / Accused Nos.1 to 4

Vs.

1. State, represented by
The Inspector of Police,
District Crime Branch Police Station,
Tirunelveli District.
In Crime No.2 of 2016.

...1st Respondent/Complainant

2. Kasipandi

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in C.C.No.415 of 2023 before the Honble Special Court (Land Grabbing Cases), Tirunelveli and Quash the same as illegal and violation of law.



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For Petitioners : Mr.Chengiz Khan.K
For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor
For R2 : Mr.C.Susikumar

ORDER

This petition has been filed seeking to call for the records in C.C.No.415 of 2023 before the Honble Special Court (Land Grabbing Cases), Tirunelveli and Quash the same as illegal and violation of law.

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.2 of 2016 for the offences punishable under Sections 419, 465, 468, 120B, 109 of IPC, against the petitioners.

3.The further contention of the petitioners is that they compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 2nd respondent and also by their respective counsels.

4. On enquiry with the accused persons and the defacto complaianant, it is brought to the notice of this Court that actually one



Mohammed Yusuf (died), who has committed the above said act of impersonation. According to the first accused, since the above said Mohammed Yusuf was close relative to him and believing the said Mohammed Yusuf, the first accused entered into transaction without knowing the real facts. After coming to know about the illegal transaction, now they have cancelled the sale deeds.

5.The petitioners and the 2nd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

6.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 17.05.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.No.415 of 2023 pending on the file of the Special Court (Land Grabbing Cases), Tirunelveli, is quashed and the compromise memo is recorded.



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7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.415 of 2023, pending on the file of the Special Court (Land Grabbing Cases), Tirunelveli, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

05.06.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

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To

- 1.The Inspector of Police,
District Crime Branch Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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