



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Cr1.O.P.(MD)No.13401 of 2015

1.Sivaprakasam
2.Sait @ Sulthan Mydeen
3.Sheik Mohammed
4.K.M.Chella muthu
5.Chithra
6.Ragavendra
7.Ramasamy
8.Vimala

... Petitioners/A1 to A8
Vs.

1.State represented by
The Inspector of Police,
District Crime Branch,
Dindigul
(Crime No.44 of 2010)

...Respondent No.1 /Complainant

2.S.Subbaiah

...Respondent No.2/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to the charge sheet in C.C.No.156 of 2014 on the file of the learned Judicial Magistrate No.II, Dindigul and quash the same as illegal and pass such further or other orders as this Court may deem fit and proper in the nature and circumstances of the case.

For Petitioners	: Mr.R.R.Kannan
For R1	: Mr.K.Anbarasan Govt. Advocate (Cr1.side)
For R2	: Mr.R.Prabhath

O R D E R

This Criminal Original petition has been filed under Section 482 of Cr.P.C seeking to quash the charge sheet in C.C.No.156 of 2014 on the file of the learned Judicial Magistrate No.II, Dindigul.

2.Heard the learned counsel for the petitioners, learned counsel for the second respondent and the learned Government Advocate (Cr1.side) appearing for the State.

3.The petitioners are arrayed as A1 to A8 in C.C.No.156 of 2014 for the alleged offences under Sections 120(b), 420, 465, 468 and



4. A joint compromise memo dated 14.07.2015, duly signed by the parties and attested by the learned counsel for the parties, has also been filed, wherein it has been stated as follows:

"It is submitted that during the pendency of the above said case, on account of the intervention of elders of the family, an amicable settlement has been arrived at to the effect that the property in dispute in an extent of 32 cents comprised in Survey No.124/3A2 situate at Kurumbapatti Village, Dindigul District is equally shared between the petitioners and the defacto complainant and as a result of the second respondent has agreed for expressing no objection for quash the charge sheet in C.C.No.156 of 2014 on the file of the learned Judicial Magistrate NO.II, Dindigul as referred above. Accordingly, the second respondent by being present before this Court, expresses his willingness to get the said Charge Sheet in C.C.No.156 of 2014 on the file of the learned Judicial Magistrate No.II, Dindigul is to be quashed"

This Court has perused the compromise memo. The parties are also present before this Court. The petitioners as well as the second respondent jointly pray that the charge sheet may be quashed.

5.Considering the submissions made and after going through the relevant documents including the offences alleged against the petitioners, this Court is inclined to quash the charge sheet as no useful purpose would be served by keeping the Charge Sheet any longer. Accordingly, the Charge Sheet in C.C.No.156 of 2014 on the file of the learned Judicial Magistrate No.II, Dindigul is quashed. The compromise memo shall form part of record. This petition is ordered.

Sd/-

Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II, Dindigul
2. The Chief Judicial Magistrate, Dindigul
3. The Inspector of Police, District Crime Branch, Dindigul
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.R.R.Kannan, Advocate, SR No.39945/15

+1 CC to Mr.R.Prabhath Advocate, SR No.39946/15

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SH:31.07.2015:P2/7C

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22.07.2015