



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2015

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THE HONOURABLE MR.JUSTICE C.T.SELVAM

Cr1.O.P.(MD)No.2444 of 2015

Sasikumar

... Petitioner

Vs.

1. The State through
the Inspector of Police,
District Crime Branch,
Puthukottai.

2. Murugesan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to call for the records on the file of the Judicial Magistrate, Alangudi in C.C.No.149 of 2014 and quash the same.

For Petitioner	: Mr.K.R.Laxman
For R1	: Mr.K.Anbarasan Govt. Advocate (Cr1.side)
For R2	: Mr.R.Arumugam

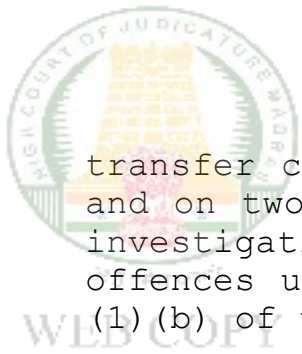
O R D E R

This Criminal Original Petition is filed to quash the charge sheet in C.C.No.149 of 2014 on the file of the learned Judicial Magistrate, Alangudi.

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

3. A memo of compromise entered into between the petitioner and the de-facto complainant is filed.

4. The prosecution case is that upon complaint of the second respondent / de-facto complainant, it was found that the petitioner had obtained a passport in his name by using the school



transfer certificate and ration card of the de-facto complainant and on two occasions, he took employment abroad. On completion of investigation, charge sheet has been filed informing commission of offences under Sections 419, 465, 468, 471 I.P.C. r/w. Section 12 (1) (b) of the Passport Act, 1967.

5. Though in the normal course, this Court would not entertain a plea for quash in cases of the present nature, we find that the petitioner before us, totally an illiterate person, indulged in wrong doing towards eking out his livelihood as a coolie in Singapore.

6. The petitioner is present. Admonishing the petitioner this Court in exercise of powers under Section 482 Cr.P.C. quash the proceedings in C.C.No.149 of 2014 on the file of learned Judicial Magistrate, Alangudi. Accordingly, this Criminal Original Petition is allowed. The Compromise Memo shall form part of the order.

Sd/-

Assistant Registrar

Encl:

Copy of Compromise Memo

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
District Crime Branch,
Puthukottai.
2. The Judicial Magistrate,
Alangudi.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.R.Laxman, Advocate Sr.No. 6309

akv

AA/05.03.2015/2p- 5c/

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12.02.2015