



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2015

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Crl.O.P.(MD)No.5718 of 2015

1.Ramachandran

2.Raja Manickandan

3.Rajesh

4.Manimaran

... Petitioners/A1 to A4

Vs.

1.State through

the Inspector of Police,

Sellur Police Station,

Madurai

(In Crime No.1620/2009) ...1st Respondent/Complainant

2.Munusamy ... 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. 518 of 2009 on the file of the learned Judicial Magistrate No.II, Madurai and quash the same and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioners : Mr.S.M.A.Jinnah

For R1 : Mr.K.Anbarasan

Govt. Advocate (Crl.side)

For R2 : Mr.K.Manimaran

O R D E R

This Criminal Original Petition is filled under Section 482 of Cr.P.C. seeking quash of charge sheet in C.C. No. 518 of 2009 on the file of the learned Judicial Magistrate No.II, Madurai.

2.Heard learned counsel for the petitioners, the learned counsel appearing for the second respondent and learned Government Advocate (Crl.side) appearing for the first respondent police.

3.Finding no merit, this petition shall stand dismissed. However, the lower court is directed to dispense with the personal appearance of the petitioners before it, upon their swearing to an affidavit informing their address for service, that they duly would be represented by their counsel on all hearing dates; that they would, at no instance, dispute their identity and that, they would appear before the trial court as and when required. Upon the petitioners doing so, the trial court may seek the presence of the petitioners before it, solely on the important hearing dates.

Sd/-

30/3/2015

"This matter having been listed under the caption for ~~Dealing with this case~~ before this Hon'ble Mr. Justice M.M.SUNDRESH on Wednesday the fifteenth day of April 2015 pursuant to the Order of this Court dated 30/3/2015 and made herein in the presence of the



aforesaid Counsels on the either side, the Court made the following Order:-

The matter is taken up for being mentioned at the instance of both counsels appearing for the parties.

WEB COPY

2. It is submitted that the facts have been wrongly noted in the order passed in paragraph No.3. Both the counsel submitted that compromise memo dated 6.3.2015 has been filed already signed by the counsels as well as by the parties. Based upon the said compromise memo order has been passed. However, due to inadvertence the order has been wrongly typed.

3. Heard the learned counsel for the petitioners, learned counsel for the second respondent and the learned Government Advocate (Crl.side) appearing for the State. This Court has also perused the compromise memo.

4. 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 proceedings as no useful purpose would be served by continuing the trail any longer. Accordingly, the proceedings in C.C. No. 518 of 2009 on the file of the learned Judicial Magistrate No.II, Madurai, is quashed. The compromise memo shall form part of record. This petition is ordered.

Sd/
Assistant Registrar(RTI)

/True copy/

sub Assistant Registrar(c.s)

To

(*) COMPROMISE MEMO XEROX COPIES ARE ENCLOSED HEREWITH

1. The Judicial Magistrate No.II, Madurai.

2. The Inspector of Police, Sellur Police Station, Madurai

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

+1cc to Mr.S.M.A.Jinah, Advocate in SR.No. 16578

sm:08.04.2015:2P/5C

RL/5 C- 1/6/2015

Crl.O.P. (MD) No.5718 of 2015

30.03.2015