

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2016

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

CrI.O.P. No.21684 of 2016

1.C.R.Thirupathi Gounder
2.Govindaraj
3.C.R.Lakshmanan
4.Rani

Petitioners/Accused 1, 3 & 5

vs.

1.State rep by
Inspector of Police
District Crime Branch
Krishnagiri.

Respondent/De-facto complainant

2.Madhu

Respondent/Complainant

Criminal Original Petition filed under Section 482, Cr.P.C. to call for the records relating to C.C.No.3 of 2013 on the file of the Special Judicial Magistrate, Land Grabbing Cases, Krishnagiri and quash the same.

For petitioners Mr.J.Bharathiraja

For respondents Mr.C.Emalias

Additional Public Prosecutor, for R1

ORDER

This petition has been filed to call for the records relating to C.C.No.3 of 2013 on the file of the Special Judicial Magistrate, Land Grabbing Cases, Krishnagiri and quash the same.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

3. On the complaint lodged by Madhu, the respondent police registered a case in Cr.No.32 of 2011 and after completing the investigation have filed a Final Report in C.C.No.3 of 2013 before the Special Judicial Magistrate for Land Grabbing Cases for offences u/s 147, 148, 447, 294(b), 506(ii) and 149 IPC against five accused, of whom Chennammal (A2) appears to have died. Challenging the prosecution, the other accused are before this Court, on the ground that they have arrived at a compromise with the *de facto* complainant.

<https://hcservices.ecourts.gov.in/hcservices/> Today, the *de facto* complainant and the accused are

present before this Court and they are identified by Mr.K.Panneerselvam, Special Sub Inspector of Police, Krishnagiri, who is also present before this Court.

5. The parties have filed a memorandum of compromise signed by the *de facto* complainant and the accused, in which it is stated as follows:

"4. In the meantime, the 2nd respondent lodged a complaint with the 1st respondent police on 30.06.2011. On 05.08.2011 FIR was registered against the petitioners under sections 447, 294(b), 506(ii) r/w Section 387 of IPC and the charge sheet was filed for the offence under Sections 147, 148, 294(b), 447, 506 (ii) r/w Section 149 of IPC and it has been taken on file and assigned case number in C.C.No.3 of 2013.

5. Now both parties have compromised the suits mentioned above before the Lok Adalath, Krishnagiri which was held on 11.09.2015 and award has also been passed. Likewise the petitioners and the 2nd respondent have compromised the criminal case in C.C.No.3 of 2013 and hence filed the quash petition and filing this memo to that effect and the same may be recorded and the charges against the petitioners may be quashed and petitioners may be acquitted from the case in C.C.No.3 of 2013.

Therefore, the petitioners and the 2nd respondent pray that this Hon'ble Court, in the interest of justice, may be pleased to quash the charges in C.C.No.3 of 2013 on the file of the Special Judicial Magistrate, for Land Grabbing Cases, Krishnagiri and pass such further or other orders as this Hon'ble Court deem fit and proper in the circumstances of the case and thus render justice."

In view of the above, this petition is allowed and the prosecution in C.C.No.3 of 2013 on the file of the Special Judicial Magistrate, Land Grabbing Cases, Krishnagiri is hereby quashed.

Sd/-
ASST. REGISTRAR

/TRUE COPY/

To

1.The Inspector of Police
District Crime Branch
Krishnagiri.

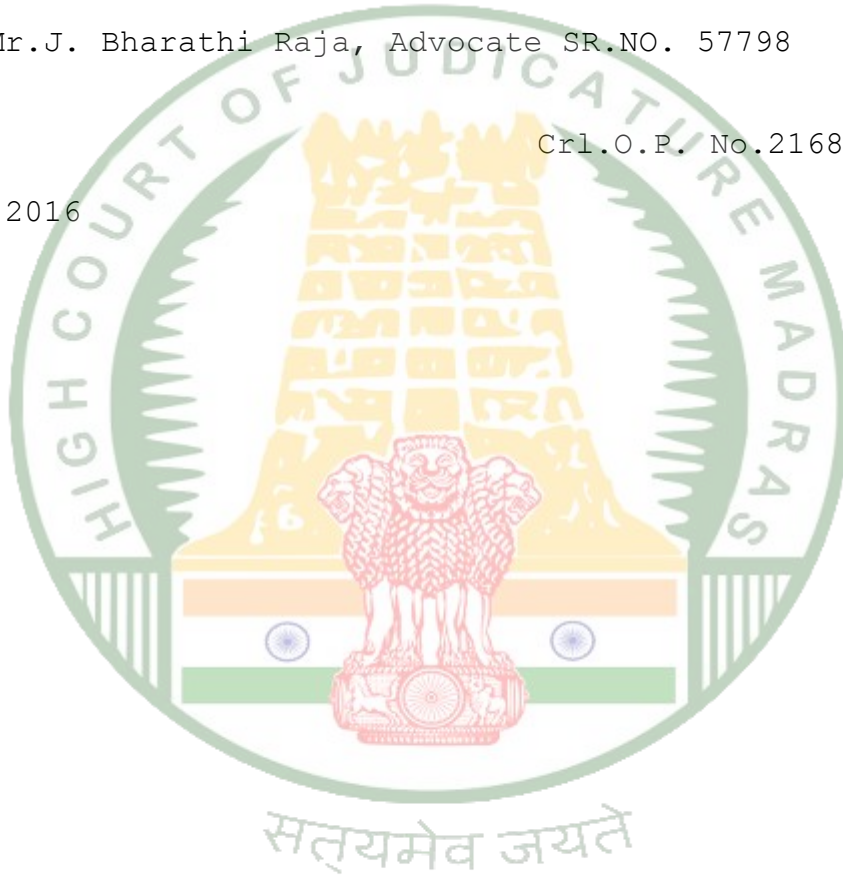
2.The Special Judicial Magistrate,
Land Grabbing Cases, Krishnagiri .

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.J. Bharathi Raja, Advocate SR.NO. 57798

Crl.O.P. No.21684 of 2016

GJ(CO)
MMP 12.11.2016



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