



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P. (MD) No.10456 of 2016

WEB COPY

1. Sakthi Rajan @ Sakthi

2. Baalasubramaniyan

...Petitioners/A2 &amp; A3

-Vs-

1. State represented by  
The Inspector of Police,  
Kundrakudi Police Station,  
Sivagangai District.

...1<sup>st</sup> respondent/Complainant

2.Rengasamy

... 2<sup>nd</sup> Respondent/Defacto Complainant

3.

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure to call for the records and quash the charge sheet in connection with C.C.No.73 of 2010 on the file of the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi.

For Petitioner: Mr.K.Baalasundharam

For R1 : Mr.A.P.Balasubramani

Govt. Advocate (Crl.Side)

For R2 : Mr.S.T.Sasidharan Tamil Kani

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O R D E R

This petition has been filed, seeking to quash the proceedings in C.C.No.73 of 2010 pending on the file of the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi, against the petitioners/A2 & A3.

2. The learned Government Advocate (Crl.Side) would submit that there are incriminating materials against the accused persons and therefore, it is not a fit case for quashing the proceedings on the basis of the compromise entered into between the parties.

3. Per contra, the learned counsel for the petitioners would contend that the matter is purely civil in nature and that the amount payable and due to the defacto complainant has already been paid by the accused persons and therefore, there is no scope of the defacto complainant deposing against the petitioners/accused herein.

4. Having regard to the nature of allegations made against the accused, this Court does not deem it appropriate to quash the proceedings. Since the defacto complainant has also accepted to compromise the matter, the trial of the case may not take much time.

5. Under such circumstances, the Trial Court is directed to dispose of the case in C.C.No.73 of 2010 within a period of two weeks from the date of receipt of a copy of this order.



6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(P&A)

/True Copy/

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Sub Assistant Registrar(CS)  
Madurai Bench of Madras High Court,  
Madurai-23.

To:

1. The Principal District Munsif-cum-Judicial Magistrate, Karaikudi
2. The Inspector of Police,  
Kundrakudi Police Station,  
Sivagangai District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.K.Balasundharam, Advocate in SR.46475

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22.08.2016

ar.

PBK/SS-3/SAR-W 23.08.2016 ::2P-5C:(IT)