



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2016

CORAM

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.20894 of 2016

1.Paldurai
2.Nagarajan
3.Nageswaran

.. Petitioners/A1 to A3

-vs-

1.State through represented by,
The Sub Inspector of Police,
Ammaiyaickanoor Police Station,
Dindigul District.
(Crime No.87 of 2015)

.. 1st Respondent/Complainant

2.Alangarakannan

.. 2nd Respondent/defacto
complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the records pertaining to the impugned charge sheet in C.C.No.155 of 2015, on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District and quash the same as illegal.

For Petitioners : Mr.S.Loganathan

For Respondent : Mr.K.Anbarasan

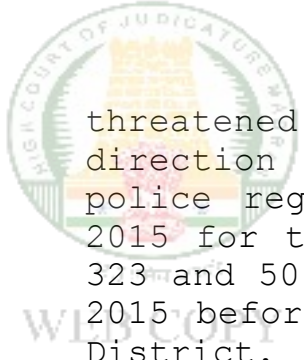
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking to quash the impugned charge sheet in C.C.No.155 of 2015, on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District.

2. It is seen that a case has been filed against the petitioners in C.C.No.155 of 2015 under Sections 341, 447, 294(b), 323 and 506(ii) of I.P.C., on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District.

3. The case of the prosecution is that the petitioners tried to put a Grill gate in the defacto complainant's land; while the second respondent/defacto complainant questioned the same, the petitioners abused him using filthy language, attacked him and



threatened with dire consequences. Subsequently, as per the direction of the learned Judicial Magistrate, the respondent police registered FIR against the petitioners in Crime No.87 of 2015 for the offences punishable under Sections 341, 447, 294(b), 323 and 506(ii) of I.P.C., and filed charge sheet in C.C.No.155 of 2015 before the learned Judicial Magistrate, Nilakottai, Dindigul District.

4. When the matter is taken up for hearing, the petitioners and the respondent, appeared in person and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Crl.Side) through the respondent police.

5. Learned counsel appearing for the second respondent would submit that the matter is now compromised out of the court.

6. Further, both parties filed a joint compromise memo, dated 26.10.2016 duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, he has no objection to withdraw the case in C.C.No.155 of 2015 before the learned Judicial Magistrate, Nilakottai, Dindigul District.

7. Hence, in view of affidavit and memo dated 26.10.2016, this Court is of the opinion that it can safely be said that no useful purpose would be served in keeping the matter pending.

8. Accordingly, this Criminal Original Petition is allowed and the entire proceedings in Crime No.87 of 2015 on the file of the 1st respondent police and the consequential proceedings in C.C.No.155 of 2015 on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District, is hereby quashed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate, Nilakottai, Dindigul District.

2.The Sub Inspector of Police,
Ammaiyaickanoor Police Station, Dindigul District.

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

+1 cc to M/s.s.Loganathan, Advocate in SR.No. 65877

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