



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.13156 of 2017

and

Crl.M.P(MD) Nos.8886 and 8887 of 2017

1. S.Muthiah

2. S.Ramaiah

3. S.Balamal : Petitioners/Accused 1,3 and 5

Vs.

1. The Inspector of Police

City Crime Branch

Tirunelveli District : 1st Respondent/Complainant
(Crime No.8 of 2008)

(Amended as per the order of this Hon'ble court
made in Crl.M.P(MD) 7264 of 2018 in
Crl.O.P(MD) No.13156 /17 dt.18.09.18)

2. R.Antony Messi : 2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the charge sheet filed against the petitioners in C.C.No.14 of 2012 before the learned Special Court for Land Grabbing Cases, Tiruvelveli in respect of Crime No. 8 of 2008 on the file of the first respondent police.

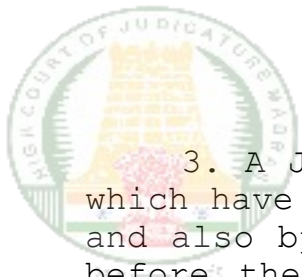
For Petitioners : Mr.H.Arumugam

For R1 : Mr.K.Suyambulinga Bharathi
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.14 of 2012 before the learned Special Court for Land Grabbing Cases, Tiruvelveli

2. The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



3. A Joint Memo of Compromise have been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.14 of 2012.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.14 of 2012 before the learned Special Court for Land Grabbing Cases, Tiruvelveli, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.1000/- (Rupees One thousand only) as costs, to the credit of the "Cancer Institute (WIA) Gandhi Nagar Canal Bank Road, Adyar, Chennai- 20" (payable in Account No.149710011000002, Savings Bank, Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA) Campus, Sardar Patel Road, Chennai- 36, Branch Name and Code: 1497, MICR No.600011049, IFSC Code: ANDB0001497), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(C.O)

/True Copy/

Sub Assistant Registrar(CS-IV)

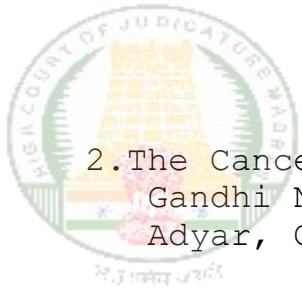
Enclose: xerox copy of compromise memo.

aav

To

1. The Judicial Magistrate No.1,
Special Court for Land Grabbing Cases,

<https://hcservices.ecourts.gov.in/hcservices/>
Tiruvelveli



2.The Cancer Institute (WIA)
Gandhi Nagar Canal Bank Road,
Adyar, Chennai- 20"

3. The Inspector of Police
City Crime Branch
Tirunelveli District

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

+1cc to mr.H.Arumugam, SR NO.86585

Cr1.O.P.[MD].No.13156 of 2017

NM/PM/SAR IV/30.10.18/3P/6C.