



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

Cr1.O.P. [MD] .No.19184 of 2018

1.Thamaraiselvi
2.Vijayakumar
3.Sivanatham
4.Murali
5.Pandiyan
6.Kalimuthu

: Petitioners/Accused 1 to 6

Vs.

1.The Inspector of Police,
District Crime Branch,
(Anti Land Grabbing Special Cell)
Theni, Theni District.
[Crime No.9 of 2017]

: Respondent/Complainant

2.Malathi

: Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in CC No.2 of 2018 on the file of the Judicial Magistrate, Special Court for Land Grabbing Cases, Theni, and quash the same.

For Petitioners : Mr.S.Ramasamy

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Cr1. side]

For R-2 : Mr.C.T.Perumal

ORDER

The Criminal Original Petition has been filed to quash to the records pertaining to the case in CC No.2 of 2018 on the file the Judicial Magistrate, Special Court for Land Grabbing Cases, Theni, for an alleged offences under Sections 120(B), 419, 420, 465, 468, 471 and 506(i) of IPC.

2. The case is still in the stage of 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 has 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 Mr.K.P.Manikumar, Special Sub Inspector of Police and they have also produced the



copies of the Aadhaar Card which are made part of the record. 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 proceedings in CC No.2 of 2018 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in CC. No.2 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No. 2 of 2018, on the file of the Judicial Magistrate, Special Court for Land Grabbing Cases, Theni, 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.500/- (Rupees Five Hundred Only) to the credit of "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam),, 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.

Sd/-

Assistant Registrar (ADI)

// True Copy //

Sub Assistant Registrar (CS-III)

Encl : Xerox copy of Compromise Memo

To

1.The Judicial Magistrate,
Special Court for Land Grabbing Cases,
Theni

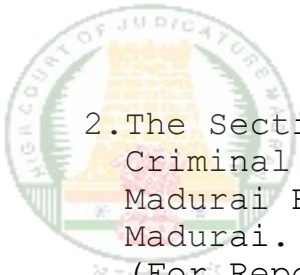
2.The Inspector of Police,
District Crime Branch,
(Anti Land Grabbing Special Cell)
Theni, Theni District.

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

+1cc to Mr.S.Ramasamy, Advocate, Sr.No.92714

Copy to :

1.District sidha Medical Officer,
CCRI, Periyakulam.



2.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.(2 Copies)
(For Reporting Compliance)

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RAM-KK/RSK/SAR 3/06.12.2018/3P/8C