

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.28706 of 2019

1.M.Ramachandran
2.M.Krishnamoorthy

...Petitioners

Vs

1.The State rep by
The Inspector of Police
City Crime Branch and Anti
Land Grabbing Special Cell,
Office of the Commissioner of Police,
Coimbatore 641 018.
(Crime No.57 of 2012)

2.Padmavathy

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the same in FIR No.57 of 2012 pending on the file of the first respondent.

For Petitioners: Mr.A.K.Gopalan

For Respondents: Ms.Saratha Devi.V for R1
Government Advocate (Crl.side)
Mrs.Padmavathy for R2
Party-in-person

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed to call for the records and quash the same in FIR No.57 of 2012 pending on the file of the first respondent.

2. It is stated by the learned counsel for the petitioners that pending the criminal complaint against the petitioners herein, the parties have amicably resolved the disputes among themselves and have also filed a Joint Compromise Memo to that effect dated 03.10.2019.

3. The defacto complainant, who is personally present before this Court has also no objection in returning the title deeds to

the accused 1 and 3. The petitioners are also present before this Court today. In order to identify the respective party, they have also submitted the photo copy of their Aadhar Card and the same has been made part of the record.

4. At this juncture, the learned counsel for the petitioner would submit that pending the investigation in Crime No.57 of 2012, a conditional order dated 19.10.2012 had been passed by this Court in Anticipatory Bail application in Crl.O.P.Nos.14639 to 14641 of 2012 filed by three of the accused in Crime No.57 of 2012 and while the Anticipatory Bail was granted, a condition was imposed directing these accused to produce security by way of immovable property title deeds. Accordingly, these accused had produced sale deed dated 17.01.1968 registered as Document No.159 of 1968 before the learned VII Judicial Magistrate, Coimbatore in compliance with the order of this Court dated 19.10.2012. In view of the fact that the Crime No.57 of 2012 is now quashed based on the compromise memo, it is open to the accused 1 and 3 (since the 2nd accused has died) to make an appropriate application before the learned VII Judicial Magistrate, Coimbatore seeking for return of the title deed in sale deed dated 17.01.1968 in Document No.159 of 1968 and on receipt of such application, the learned VII Judicial Magistrate, Coimbatore shall return back the said title deed to the petitioners herein.

5. With the above observations and directions, the proceedings in Crime No.57 of 2012 on the file of the first respondent police, is quashed.

6.The Criminal Original Petition is allowed accordingly.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

vr

To

1.The Inspector of Police
City Crime Branch and Anti
Land Grabbing Special Cell,
Office of the Commissioner of Police,
Coimbatore 641 018.

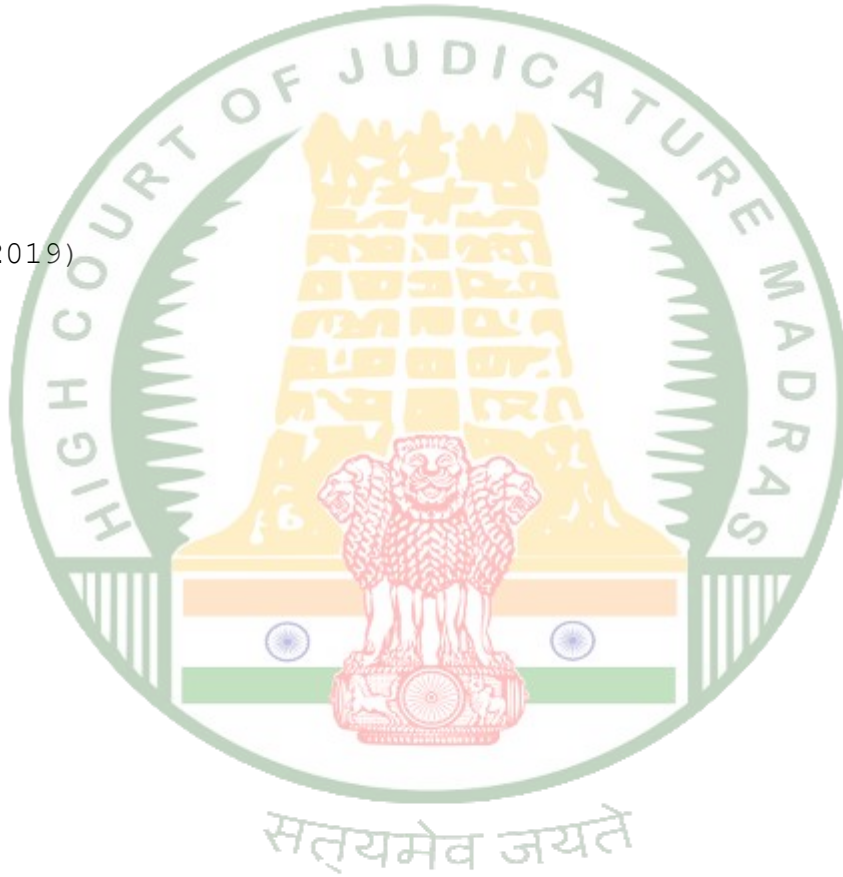
2. The Public Prosecutor,
High Court of Madras.

3.The VII Judicial Magistrate
Coimbatore

+4 CCS to Mr.A.K.Gopalan, Advocate sr 90780.

CrI.O.P.No.28706 of 2019

MG (CO)
SP (06/12/2019)



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