



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD).Nos.10089 & 6474 of 2019

1. Muniyasamy
2. Sankeeth Kumar
3. Ravi
4. Senthurpandi
5. Pandi

... Petitioners in CRL OP(MD). 10089/ 2019 /
Accused Nos.1,3,4,5 and 8

1. Ramkumar,
2. Velayutham,

... Petitioners in CRL OP(MD). 6474/ 2019 /
Accused Nos.2 and 6

- Vs. -

1. The State Rep by
The Inspector of Police
DCB/Anti Land Grabbing Special Cell(DCB/ALGSC),
Ramnathapuram District.
Cr. No.18 of 2016

...1st Respondent/Complainant

2. Muniasamy

... 2nd Respondent/ Defacto Complainant
in both Crl.O.Ps.

COMMON PRAYER: These Criminal Original Petitions have been filed under Section 482 of Criminal Procedure Code, to call for the records in C.C. No.145 of 2018 on the file of the Judicial Magistrate, Mudhukulathur and quash the same in respect of the petitioners.

(In both Crl.O.Ps)

For Petitioners : Mr.D.Senthil

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

For R2 : Mr.R.Selva

C O M M O N O R D E R

These Criminal Original Petitions have been filed to quash the proceedings in C.C. No.145 of 2018 on the file of the learned Judicial Magistrate, Mudhukulathur.

2. The case is still at the stage of trial. By passage of

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



time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. Joint Compromise Memos have been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr. Murugesan, Head Constable. 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 before the learned Judicial Magistrate, Mudhukulathur. 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 C.C. No.145 of 2018 on the file of the learned Judicial Magistrate, Mudhukulathur.

5. These Criminal Original Petitions stand allowed and as a sequel, the proceedings in C.C. No.145 of 2018 on the file of the learned Judicial Magistrate, Mudhukulathur, is quashed and the terms of Joint Compromise memos shall form part and parcel of this order. The petitioners shall jointly pay a sum of Rs.10,000/- (Rupees Ten Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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 (P AND A)

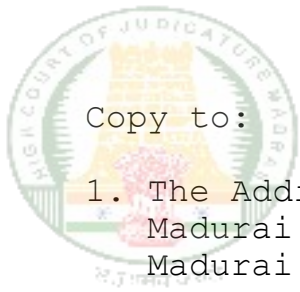
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Sub Assistant Registrar (CS)

To

1. The Judicial Magistrate,
Mudhukulathur.

2. The Inspector of Police
DCB/Anti Land Grabbing Special Cell (DCB/ALGSC),
Ramnathapuram District.



Copy to:

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

2. The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P. (MD) .Nos.10089 & 6474 of 2019
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KK/SAR/15.10.2019/3P-5C/