



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2019

CORAM:

WEB COPY

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

Crl.O.P. (MD) .No.12660 of 2019

1. E.S.Sugumaran
2. S.Niksan
3. A.Mani
4. S.Isakkipandian
5. C.Murugan
6. P.Daniel
7. A. Nallaperumal ... Petitioners 1 to 7/Accused Nos.2 to 8
8. L.Sevugaperumal ... 8<sup>th</sup> Petitioner/10<sup>th</sup> Accused

Vs.

- 1.State rep. by  
The Inspector of Police,  
District Crime Branch  
Tirunelveli District ... 1<sup>st</sup> Respondent/Complainant
- 2.K.Subramanian ... 2<sup>nd</sup> Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet in C.C. No. 3 of 2013 on the file of the Special Court for Land Grabbing cases, Tirunelveli in Crime No. 9 of 2007 on the file of the first respondent police and quash the same as against the petitioners concerned.

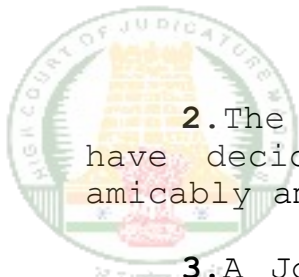
For Petitioners : Mr.D.Deepamathi

For R-1 : Mr.K.Suyambulinga Bharathi  
Government Advocate (Crl. Side)

For R-2 : M/s.J.Balameenakshi

**ORDER**

The Criminal Original Petition has been filed to quash the proceedings in C.C. No. 3 of 2013 on the file of the Special Court for Land Grabbing cases, Tirunelveli, for an alleged offences under Sections 465,467,468,470,471 r/w.120(b) of IPC.



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 has 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.Arunachala Murugan, SI of 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.3 of 2013

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C. No. 3 of 2013 on the file of the Special Court for Land Grabbing cases, Tirunelveli , is quashed and the terms of affidavit of the defacto complainant which shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5000/- (Rupees Five 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 (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

**Encl:**

Xerox copy of the Joint Compromise Memo

To

1. The Special Judge for Land Grabbing cases, Tirunelveli
2. The Inspector of Police,  
District Crime Branch  
Tirunelveli District



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

**Copy to:**

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

+8 CC to M/s.D.DEEPAMATHI, Advocate ( SR-86675[F] dated 13/09/2019 )

+1 CC to M/s.J.BALAMEENAKSHI, Advocate ( SR-86676[F] dated  
13/09/2019 )

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aav

JMN(25.09.2019) 3P : 14C