



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2019

CORAM:

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD).No.6191 of 2018

1.Jawahar Suriyakumar
2.P.Alliraja
3.Shanmugaiah
4.V.Mani

... Petitioners

- Vs. -

1.The State, rep. by
The Inspector of Police,
District Crime Branch,
Tirunelveli District,
Crime No.29 of 2008

2.A.Amala Arunachalam

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in connection with the impugned charge sheet in C.C.No.37 of 2012 on the file of the Special Court for Land Grabbing Cases (Magistrerial Level), Tirunelveli and quash the same.

For Petitioner : Mr.P.Krishnasamy

For R-1 : Mr.K.Suyambulinga Bharathi,
G.A., (Crl. Side)

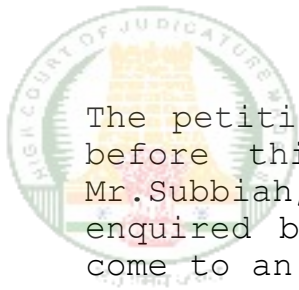
For R-2 : Mrs.M.Saravana Porchelvi

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.37 of 2012 on the file of the Special Court for Land Grabbing Cases (Magistrerial Level), Tirunelveli.

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

3.A Joint Compromise Memo has been filed before this Court, which has been signed by the petitioners and the second respondent/counter-complainant and also by their respective counsel.



The petitioners and the 2nd respondent were also present in person before this Court and their identity is also verified through Mr.Subbiah, Special Sub Inspector of Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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4.Under such circumstances, no useful purpose will be served in keeping the case pending before the trial Court. 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 criminal proceedings in C.C.No.37 of 2012 on the file of the Special Court for Land Grabbing Cases (Magistrerial Level), Tirunelveli as against the petitioners.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.37 of 2012 on the file of the Special Court for Land Grabbing Cases (Magistrerial Level), Tirunelveli is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioners jointly 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 Madurai Bench of Madras High Court Registry), and file a photocopy of the receipt along with a memo reporting compliance before the Registry/1st respondent and the trial Court on or before 18.11.2019, failing which, this order automatically stands cancelled without further reference to this Court and the trial Court can proceed with the trial in C.C.No.37 of 2012.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

Arul

Encl:

Xerox copy of the Joint Compromise Memo

To

1.The The Inspector of Police,
District Crime Branch,
Tirunelveli District.

2.The Special Court for Land Grabbing Cases
(Magistrerial Level), Tirunelveli



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.

+5 CC to M/s.P.KRISHNASAMY, Advocate (SR-97402[F] dated
11/11/2019)

CrI.O.P. (MD) .No.6191 of 2018
11.11.2019

JMN(12.11.2019) 3P : 10C