



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2019

CORAM :

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.14553 of 2019

and

Cr..M.P.(MD)Nos.8819 & 8820 of 2019

1.M.Ushen Mohamed

2.M.Aarunbhatsha

3.H.Shahul Hameed

4.S.Selvi

... Petitioners/Accused Nos.1 to 3 & 7

Vs.

1. The Inspector of Police,
CCB (Anti Land Grabbing Special Wing)
Madurai.
(Crime No.21/2018)

...1st Respondent/complainant

2.A.Raja

... 2nd Respondent/Defacto
complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records pertaining to the case in C.C.No.41/2019 on the file of the learned Special Court for Exclusive Trail of Land Grabbing Cases, Madurai and quash the same.

For Petitioners : Mr.M.Shakul Hameed

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

For R2 : Mr.G.Ganesh Kumar

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.41/2019 on the file of the learned Special Court for Exclusive Trail of Land Grabbing Cases, Madurai.

2. The case is still in the stage of proceedings. 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 petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.Shanmugavel, 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 proceedings pending before the learned Special Court for Exclusive Trail of Land Grabbing Cases, Madurai. 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.41/2019 on the file of the learned Special Court for Exclusive Trail of Land Grabbing Cases, Madurai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.41/2019 on the file of the learned Special Court for Exclusive Trail of Land Grabbing Cases, Madurai, is quashed and the terms of joint compromise memo, 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. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

dss

Encl:

Xerox Copy of the Joint Compromise Memo

To

1. The Special Court for Exclusive Trial of Land Grabbing Cases, Madurai.



2.The Inspector of Police,
CCB (Anti Land Grabbing Special Wing), Madurai.

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

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Copy to:

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

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

+2 CC to M/s.M.SHAKUL HAMEED, Advocate (SR-92210[F] dated
16/10/2019)

Crl.O.P. (MD) No.14553 of 2019
and
Crl.M.P. (MD) Nos.8819 & 8820 of 2019
16.10.2019

JMN(30.10.2019) 3P : 9C