



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 25.11.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.15696 of 2019

and

CrI.M.P. (MD) No.9288 of 2019

WEB COPY

R.Pappa

... Petitioner/Accused No.2

Vs

1.The State rep. by

The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

2.E.S.Kumar

... Respondents/Petitioners

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C, praying to call for the entire records pertaining to case in crime No.289 of 2011 on the file of the Inspector of Police, Nanguneri Police Station, Tirunelveli District and quash the same as against the petitioner.

For Petitioner : Mr.B.Brijesh Kishore
For Respondent : Mr.K.Suyambulinga Bharathi,
G.A. (CrI. Side) for R1
Mr.V.Sasi Kumar, for R2

O R D E R

This petition has been filed to quash the criminal proceedings in crime No.289 of 2011 on the file of the Inspector of Police, Nanguneri Police Station, Tirunelveli District as against the petitioner.

2.The learned Government Advocate (criminal side) submitted that the 1st respondent completed the investigation and filed the final report on 16.11.2016 and the Head Clerk of Special Court, Land Grabbing Cases, Tirunelveli duly received the final report on 16.11.2016. Since the matter is already subsidized to the file of the Hon'ble Supreme Court of India in respect of the constitution of the very same Special Court to deal with the land grabbing cases. Therefore, the prayer sought for in this petition has become infructuous.

3.He further submitted that already, the petitioner along with two other accused persons approached this Court in CrI.O.P.(MD) No.21456 of 2013 to quash the FIR, in which, the learned Government



Advocate (criminal side) submitted that already investigation has been completed and they were yet to file the final report.

4.That apart, now the learned counsel appearing for the petitioner would submit that the dispute between the petitioner and the defacto complainant has already been settled out of Court.

5.The learned counsel appearing for the 2nd respondent submitted that no settlement has been arisen between them.

6.However, since in view of the completion of investigation and final report has been filed before the Special Court for Land Grabbing Cases, the prayer sought for by the petitioner cannot be granted as the same has become infructuous.

7.Accordingly, this petition is dismissed as infructuous. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

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

+1 CC to MR.B. BRIJESH KISHORE, Advocate (SR-101213[F] dated 26/11/2019)

+1 CC to MR.V.SASI KUMAR, Advocate (SR-101751[F] dated 27/11/2019)

Order made in

CRL.O.P (MD) No.15696 of 2019

25.11.2019

MK (18.12.2019) 2P 5C