



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.7602 of 2016 and

CRL.M.P.(MD)Nos.3856 & 3857 of 2016

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Somasundarapandian

... Petitioner/Accused No.16

Vs.

1. State rep. by,
The Inspector of Police,
District Crime Branch,
Dindigul.
(Crime No.5 of 2012)

... Respondent-1/Complainant

2. Balakrishnan

... Respondent-2/
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to C.C.No.598 of 2013 pending before the learned Judicial Magistrate No.II, Dindigul and quash the same in so far as the petitioner is concerned.

For Petitioner	: Mr.S.Ravi
For R-1	: Mr.A.Robinson, Government Advocate(Crl. Side).
For R-2	: Mr.C.Jeganathan

O R D E R

This criminal original petition has been filed for quashing the proceedings in C.C.No.598 of 2013 on the file of the Judicial Magistrate No.II, Dindigul. The second respondent herein is the defacto complainant. The petitioner is a purchaser of the property in question from accused Nos.1 to 15. There appears to be a dispute regarding title between accused Nos.1 to 15 on the one hand and the defacto complainant on the other. This Court vide order dated 22.02.2019 in Crl.O.P.(MD)No.1323 of 2014 had quashed the proceedings as far as they are concerned. In fact the Court below has also recorded the same. If the prosecution against the vendors has been quashed, it obviously cannot continue against the purchaser.

2. The learned Government Advocate(Crl. Side) would point that the entire proceedings have culminated in acquittal and that the diary extract of the Court below indicates that the petitioner has also been acquitted. Be that as it may, the impugned



proceedings stand quashed as far as the petitioner is concerned.

3. The criminal original petition stands allowed, accordingly. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

pmu

To:

1. The Judicial Magistrate No.II,
Dindigul.

2. The Inspector of Police,
District Crime Branch,
Dindigul.

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

+1 CC to MR.C.JEGANATHAN, Advocate (SR-340[F] dated 06/01/2020)

+1 CC to MR.S.RAVI, Advocate (SR-552[F] dated 07/01/2020)

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