



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.OP (MD) No.18519, 19186 and 19435 of 2018

and

Crl.MP(MD) Nos.8276, 8277, 8619, 8620, 8816 and 8817 of 2018

Crl.OP (MD) No.18519 of 2018

V. Jegadeesan ... Petitioner in Crl.O.P(MD)No.18519/2018
Alagiyana Gounder ... Petitioner in Crl.O.P(MD)No.19186/2018
M.Nachimuthu ... Petitioner in Crl.O.P(MD)No.19435/2018

-Vs-

N. Kandasamy ... Respondent in all the Crl.O.Ps.

COMMON PRAYER: The Criminal Original Petitions are filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the C.C.No. 564 of 2008 on the file of learned Judicial Magistrate, No. II, Dindigul and quash the proceedings as against the petitioners herein.

For Petitioner : Mr.K.Balasubramani
(In Crl.O.P.18519 of 2018)

Mr.AN.Ramanathan
(In Crl.O.P.19186 of 2018)

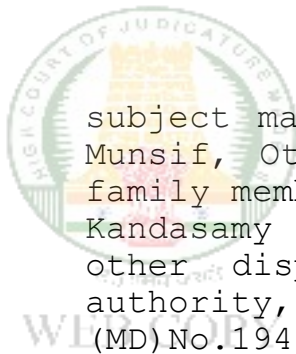
M/S.V.Muthumani
(In Crl.O.P.19435 of 2018)

For Respondent : Mr.M.Suresh

COMMON ORDER

These Criminal Original Petitions have been filed to quash the C.C.No. 564 of 2008 on the file of learned Judicial Magistrate No. II, Dindigul, as against the petitioners herein.

2. Today (ie.30.11.2021), when the matter is taken up for hearing, the learned counsel for both sides, submitted that a compromise was reached between the parties in S.A.(MD)No.194 of 2018, by which, the first respondent in the above said second appeal, viz., Kandasamy is the complainant in the private complaint as against that the appellant viz., Jegadeesan, who is the first accused, who was agreed to be the owner of the property, which is



subject matter of O.S.No.376 of 2007, on the file of the District Munsif, Ottanchadram. It is also agreed that neither he nor his family member claim right over the property. It is also agreed that Kandasamy has agreed to withdraw all the criminal and civil and other dispute pending between the parties before the various authority, based on the above said joint compromise memo, in S.A. (MD)No.194 of 2018, which was disposed of on 21.08.2019. In pursuance of the above said compromise that has been reached between the parties in the Second Appeal, the joint compromise memo has also been filed in this matter, by which, both parties agreed that in pursuance of the above said compromise, the proceedings pending before the trial Court may also be quashed.

3. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memo, dated 13.08.2019, this Court is of the opinion that no useful purpose would be served by keeping the matter pending.

4. In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No. 564 of 2008 on the file of learned Judicial Magistrate No.II, Dindigul, is hereby quashed in respect of the petitioners alone and the terms of the joint compromise memo shall form part and parcel of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Ls

Enclosed herewith Copy of the Joint Compromise Memo

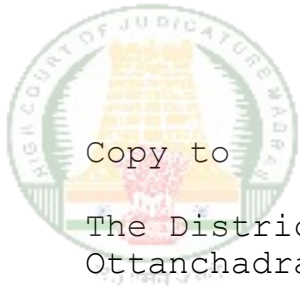
Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Judicial Magistrate No. II,
Dindigul

2. The Section Officer,
Criminal Section,

<https://hcservices.mca.gov.in/hcservices> Madras High Court, Madurai. (2 COPIES)



Copy to

The District Munsif,
Ottanchadram.

WEB COPY

+1 CC to M/s.K. BALASUBRAMANI, Advocate (SR-36632[F] dated
30/11/2021)

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RD(4.01.2022) 3P 6C