



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Cr1.O.P.(MD) No.7587 of 2022

WEB COPY

1.Murugapandi
2.Periyakaruppan @ Periyakaruppu
3.Mahalingam
4.Velmurugan
5.Ramachandran
6.Mahalingam
7.Maruthu ...Petitioners/Accused Nos.4 to 10

Vs.

1. State rep by
The Inspector of Police
District Crime Branch(ALGSC)
Madurai District
(Crime No.8 of 2015) ... 1st Respondent / Complainant
2.M.K.Subramaniam ... 2nd Respondents / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to the case in CC No.33 of 2019 on the file of the Special Judicial Magistrate for Land Grabbing Cases, Madurai and quash the same as against the petitioners alone.

For Petitioners : Mr. R.Jegadeeswaran
For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor
No.2 : Mr.M.Anbarasan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC No.33 of 2019 on the file of the Special Judicial Magistrate for Land Grabbing Cases, Madurai.

2.The case is under trial. 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 has been signed by the petitioners and the second respondent and also by their respective counsel. The parties were present before this Court and they were identified by their respective counsels.

4. Under such circumstances, no useful purpose will be served in keeping the CC No.33 of 2019 on the file of the Special Judicial Magistrate for 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 charge sheet in C.C.No. 33 of 2019.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No.33 of 2019 on the file of the Special Judicial Magistrate for Land Grabbing Cases, Madurai, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs, **to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172)** or before 05.05.2022 and produce the receipt before the concerned court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Special Judicial Magistrate for Land Grabbing Cases, Madurai
2. The Inspector of Police
District Crime Branch(ALGSC)
Madurai District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.



Copy to

The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department, Government of Tamil Nadu,
Secretariat, Chennai 600 009.

+1 CC to M/s.R.JEGADEESWARAN, Advocate (SR-20818[F] dated
25/04/2022)

Cr1.O.P.(MD) No.7587 of 2022
25.04.2022

srk(CO)
TR(27.04.2022) 3P 6C