



Crl.O.P.(MD) No.19001 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P(MD)No.19001 of 2022

1.Asif Siddique

2.Mohamed Sathick

3.Mohamed Bashith Z.

...Petitioners

vs

1.The State represented by the
Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
(in Cr.No.981 of 2016)

2.Jayachandran

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to First Information Report in Cr.No.981 of 2016 on the file of the first Respondent Police and to quash the same as against the Petitioners herein.

For Petitioners
For R1

: Mr.S.Muthu Kumar
: Mr.B.Nambi Selvan
Additional Public Prosecutor



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ORDER

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When the case is taken up for hearing, the learned Counsel for the Petitioners submitted that the Petitioners have entered into a compromise with the second Respondent/De-Facto Complainant and had paid the damage amount mentioned in the charge sheet.

2.The learned Additional Public Prosecutor submitted that the investigation had been completed and charge sheet laid before the Court of learned Judicial Magistrate, Padmanabhapuram.

3.The learned Counsel for the Petitioner by way of rejoinder submitted that in the case of this nature, the provisions of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992, will not be applicable the private properties. He placed reliance on the order passed by this Court in Crl.A.(MD)No.273 of 2008 in the case of Logu @ Loganathan vs State represented by the Inspector of Police.

3.In the light of the order passed by this Court in ***Crl.A. (MD)No.273 of 2008*** in the case of ***Logu @ Loganathan vs State represented by the Inspector of Police***, even though this Petition had been filed as quashing the FIR and the submission of the learned



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Additional Public Prosecutor stating that final report also laid, the final laid before the Court of learned Judicial Magistrate, Padmanabhapuram, is quashed and this Petition is allowed.

01.11.2022

Index:Yes/No

cmr

To

- 1.The Judicial Magistrate, Padmanabhapuram.
- 2.The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.



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SATHI KUMAR SUKUMARA KURUP, J.

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