



1 of 4

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19203 of 2023
and Crl.MP.No.12918 of 2023

M.Palanisamy, M/A-46Y
S/o.Manadaveli

.. Petitioner / Petitioner

.Vs.

1.State rep.by
The Inspector of Police
DCB (Land Grabbing),ALGSC
Kanchipuram District.

2.Sivakumar
S/o.M.Subramaniam

.. Complainant/Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the C.C.No.114 of 2023, on the file of the Hon'ble Judicial Magistrate No.I at Kancheepuram and quash the same.

For Petitioner : Mr.V.Sundarraman

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.side)
for R1

ORDER

This criminal original petition has been filed to quash the proceedings in
C.C.No.114 of 2023, pending on the file of the Judicial Magistrate No.I,

Kancheepuram.



2.Heard Mr.V.Sundarraman, learned counsel for the petitioner and Mr.A.Gopinath, learned Government Advocate (Crl.side) for R1.

3.The FIR was registered in the year 2015 against five accused persons. One of the accused persons viz., S.Chandrasekaran and one P.Tamilselvi filed an anticipatory bail petition in CrI.OP.No.3065 of 2015. An intervening petition was also filed by the de facto complainant. Considering the facts and circumstances of the case, the parties were referred to the Mediation Centre. Before the Mediation Centre, the parties reached a compromise and a memo of compromise dated 26.2.2016 was also signed by the parties.

4.As per the compromise, the parties agreed to cancel the sale deeds partially. However since the same cannot be done in law, the parties once again knocked the doors of this Court by filing WP.No.18742 of 2016. This Court on considering the facts and circumstances of the case came to a conclusion that the parties should execute a release deed in favour of the de facto complainant and accordingly, two release deeds came to be executed on 28.2.2017 registered as Document Nos.535 and 536 of 2017. Thereby, the entire dispute came to an end. When the other accused persons filed anticipatory bail petitions before this Court in CrI.OP.No.3941 etc of 2016, the compromise that was arrived at between the parties was taken note off and the anticipatory bail was granted. While passing this order, this Court also recorded the fact that the lands have been reconveyed to the de facto complainant.



5. In the light of the above development, no useful purpose will be served in keeping the proceedings pending when the matter has already been compromised.

In view of the same, the proceedings in C.C.No.114 of 2023, pending on the file of the Judicial Magistrate No.I, Kancheepuram, is hereby quashed in entirety and this criminal original petition stands allowed. Consequently, connected miscellaneous petition is closed.

29.08.2023

Index : Yes/No
Internet : Yes/No
KP

To

1. The Inspector of Police
DCB (Land Grabbing), ALGSC
Kanchipuram District.

2. Judicial Magistrate No.I
Kancheepuram.

3. The Public Prosecutor
High Court, Madras.



WEB COPY



4 of 4

N. ANAND VENKATESH,, J.
KP

Crl.O.P No.19203 of 2023

29.8.2023