



Crl.O.P.(MD)No.5974 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.04.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

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- 1.Nagaiah
- 2.S.Kasi Rajam
- 3.D.Subramanian
- 4.J.John Mathew Kurunthamannil
- 5.P.Gopalraja

... Petitioners

Vs.

- 1.The State,
Rep. by Inspector of Police Station,
Karivalamvanthanallur Police Station,
Sankarankovil Taluk,
Tenkasi District.

- 2.Muthupandi

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned charge sheet in C.C.No.181 of 2021 pending on the file of the learned Judicial Magistrate, Sankarankovil, Tenkasi District and quash the same.

For Petitioners
For R1

For R2

: Mr.P.Suresh Kumar
: Mr.R.Suresh Kumar
Government Advocate(Crl.Side)
: Mr.A.Karthik



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ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.181 of 2021 pending on the file of the learned Judicial Magistrate, Sankarankovil, Tenkasi District.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.50 of 2013 for the offences punishable under Sections 120(B), 465, 468, 467, 471 and 420 of IPC, against the petitioners. The learned counsel for the second respondent submitted that the first accused has executed the sale deed by including his property and also submitted that now the first accused died.

3.The further contention of the petitioners is that they compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 2nd respondent and also by their respective counsels.

4.The petitioners and the 2nd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate(Crl. Side) and the



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Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

5.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 29.03.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending and inclined to quash all further proceedings in C.C.No.181 of 2021 pending on the file of the learned Judicial Magistrate, Sankarankovil, Tenkasi District, in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.181 of 2021 pending on the file of the learned Judicial Magistrate, Sankarankovil, Tenkasi District, is hereby quashed in respect of the petitioners alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

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Index : Yes/No
Internet: Yes/No
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To

1. The learned Judicial Magistrate, Sankarankovil, Tenkasi District
2. Inspector of Police Station,
Karivalamvanthanallur Police Station,
Sankarankovil Taluk,
Tenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.,

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