



*Crl.O.P.(MD)No.10362 of 2023*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 13.06.2023

CORAM :

**THE HONOURABLE Mr. JUSTICE G.ILANGO VAN**

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- 1.S.Manokaran
- 2.S.Sampath
- 3.S.Kamala
- 4.T.Singaram @ Singaravel
- 5.T.Balasubramaniyan
- 6.M.Thanalakshmi
- 7.K.Karthikeyan
- 8.P.Suganthi
- 9.M.Sathiya

... Petitioners / A1 to A6 and A8 to A10

Vs.

1. The Inspector of Police,  
West Police Station,  
Kumbakonam,  
Thanjavur District.

Crime No.178 of 2015.

... 1<sup>st</sup> Respondent / Complainant

- 2.K.P.Balaji
- ... 2<sup>nd</sup> Respondent/ Defacto complainant

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.C.No.63 of 2017 pending before the Additional District Court, (Fast Track Court), Kumbakonam, Thanjavur District and to quash the same.



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For Petitioners : Mr.G.Manikandan  
For R1 : Mr.B.Nambiselvan  
Additional Public Prosecutor  
For R2 : Mr.A.Senthil Kumar

### **ORDER**

This Criminal Original Petition has been filed seeking to quash the proceedings in S.C.No.63 of 2017 pending before the Additional District Court, (Fast Track Court), Kumbakonam, Thanjavur District.

2. The contention of the petitioners is that based on the complaint lodged by the 2<sup>nd</sup> respondent, the 1<sup>st</sup> respondent registered the First Information Report in Crime No.178 of 2015 for the offences punishable under Sections 147, 352, 427, 506(i) of I.P.C, against the petitioners.

3. The further contention of the petitioners is that the property has been registered to the defacto complainant and on that basis a civil dispute that was pending between the parties in A.S.Nos. 22 and 23 of 2013, also ended in compromise before the Lok Adhalat. So, on the basis of the above said compromise, both the appeal suits disposed of. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 2<sup>nd</sup> respondent and also by their respective counsels.



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4. The learned Additional Public Prosecutor would submit that warrant has been issued against the Accused Nos. 5 to 10.

5. The petitioners and the 2<sup>nd</sup> respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Joint Compromise Memo is recorded.

6. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the compromise memo, 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 S.C.No.63 of 2017 pending on the file of the Additional District Court, (Fast Track Court), Kumbakonam, Thanjavur District, in respect of the petitioners.

7. In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.C.No.63 of 2017 pending on the file of the Additional District Court, (Fast Track Court), Kumbakonam, Thanjavur District, is hereby quashed in respect of the petitioners alone. The



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compromise memo is recorded and the terms of compromise memo shall form part of this order.

8. In view of the compromise reached between the parties, let the above said warrant issued against the Accused Nos.5 to 10 stand recalled.

**13.06.2023**

NCC : Yes/No  
Index : Yes/No  
Internet: Yes/No  
Ls

To

- 1.The Additional District Court,  
(Fast Track Court),  
Kumbakonam,  
Thanjavur District.
- 2.The Inspector of Police,  
West Police Station,  
Kumbakonam,  
Thanjavur District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGO VAN, J.,**

Ls

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