



Crl.O.P.(MD) No.14058 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.14058 of 2023

1.Sakthinathan

2.Devagi

3.Karupaiah

4.Suruliraj

...Petitioners / Accused No.1 to 4

Vs.

1.The State Rep. by,
The Inspector of Police,
District Crime Branch (ALGSC),
Theni, Theni District.
(In Crime No.33/2018)

...1st Respondent / Complainant

2.Chellaiah

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in C.C.No.214/2023 on the file of the Learned Judicial Magistrate, Special Court for Land Grabbing Cases, Bodinaickanur and quash the same.



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For Petitioner :Mr.R.Velmurugan

For Respondent :Mr.M.Sakthi Kumar for R1
Government Advocate (Crl. Side)

:Mr.Murugan for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.214 of 2023 on the file of the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Bodinaickanu.

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.33 of 2018 for the offences punishable under Sections 120(B), 417, 420, 465, 468, 471, 506(ii) of IPC, against the petitioners. It appears that there is a small issue between the parties.

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.



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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 Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. It is a issue between the close brothers. The land was returned to the defacto complainant. 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, 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.214 of 2023 pending on the file of the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Bodinaickanur in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.214 of 2023, pending on the file of the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Bodinaickanur is hereby



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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.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

20.10.2023

TM

To

- 1.The Judicial Magistrate, Special Court for Land Grabbing Cases,
Bodinaickanur.
- 2.The Inspector of Police,
District Crime Branch (ALGSC),
Theni, Theni District.
(In Crime No.33/2018)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

TM

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