



Crl.O.P.(MD) No.18845 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.18845 of 2023

1.Muthaiah

2.Alagar

3.Amansingh

...Petitioners / Accused No.3,4 & 5

Vs.

1.The Inspector of Police,
Saptur Police Station,
Madurai District.
(In Crime No.15/2013)

...1st Respondent / Complainant

2.Gopal

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for records relating to the charge sheet in C.C. No.5/2023 on the file of District Munsif Cum Judicial Magistrate, Peraiyur and quash the same as against the petitioner's concern.

For Petitioner	:Mr.P.Praveen Kumar
For Respondent	:Mr.M.Vaikkam Karunanithi for R1 Government Advocate (Crl. Side) :Mr.C.Susi Kumar for R2



Crl.O.P.(MD) No.18845 of 2023

WEB COPY

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.5 of 2023 on the file of the learned Judicial Magistrate, Peraiyur.

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.15 of 2013 for the offences punishable under Sections 420, 465, 468 and 471 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.

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 Additional Public Prosecutor and the Investigation



Crl.O.P.(MD) No.18845 of 2023

WEB COPY Officer. Both the parties were enquired by me and they accepted the terms of compromise. 1st and 2nd accused reported to be dead. Death certificate produced. The defacto complainant says that now the property has been registered in favour of him. Even though serious offences has been made so far second accused is concerned, he reported to be dead, the first accused is being purchaser and other accused persons are only attesting witnesses to the above said document. 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.5 of 2023 pending on the file of the learned Judicial Magistrate, Peraiyur, in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.5 of 2023, pending on the file of the learned Judicial Magistrate, Peraiyur, is hereby quashed in respect of the petitioners alone. The



Crl.O.P.(MD) No.18845 of 2023

WEB COPY

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, Peraiyur.
- 2.The Inspector of Police,
Saptur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.18845 of 2023

G.ILANGOVA. J.

TM

Crl.O.P.(MD)No.18845 of 2023

20.10.2023