



CrI.O.P.(MD)Nos.1995 & 2161 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.OP(MD) Nos.1995 & 2161 of 2023 and
CrI.MP(MD) Nos.1816 and 1863 of 2023

CrI.OP(MD) No.1995 of 2023 :-

1. Masanamuthu Pandian
2. Vella Durai

... Petitioners

Vs

- 1.The Deputy Superintendent of Police,
Alangulam Sub Division,
Tenkasi District.
- 2.The Inspector of Police,
Surandai Police Station,
Tenkasi District.
(Cr.No.152/2019).

- 3.Mathesh

..Respondents

CrI.OP(MD) No.2161 of 2023 :-

- 1.Masanamuthu Pandian
2. Vella Durai
- 3.Kathiravan

... Petitioners

Vs

- 1.The Deputy Superintendent of Police,
Alangulam Sub Division,

<https://www.mhc.tn.gov.in/>



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2.The Inspector of Police,
Surandai Police Station,
Tenkasi District.
(Cr.No.175/2019).

3.Mupidathi

...Respondents

Common Prayer : Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to impugned Charge sheet in S.C No. 147 of 2019 & SC No.3 of 2020, pending on the file of the Learned II Additional District and Sessions Judge (Special Cases for PCR), Tirunelveli and quash the same.

For Petitioners	: Mr.KR.Bharathi Kannan.
For R1 & R2	: Mr.P.Kottaichamy Government Advocate(Crl.side)
For R3	: Mr.S.Sundarapandian

COMMON ORDER

These Criminal Original Petitions are filed to quash the proceedings in S.C No. 147 of 2019 & SC No.3 of 2020, pending on the file of the Learned II Additional District and Sessions Judge (Special Cases for PCR), Tirunelveli.



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2.Though these petitions have been moved on the ground of compromise, when these petitions are taken up for hearing today, the parties are not present before this Court, that too, when these petitions are specifically posted for the appearance of the parties.

3.The learned Government Advocate (Crl.side) appearing for the official respondents submits that the petitioners herein are the history sheeted rowdies and therefore, he has raised serious objections to quash the proceedings in S.C No. 147 of 2019 & SC No.3 of 2020, on the ground of compromise.

4.This Court considered the submissions made by the learned Government Advocate (Crl.side).

5. Admittedly, these petitions have been moved to quash the proceedings in S.C No. 147 of 2019 & SC No.3 of 2020 on the ground of compromise. These petitions have been listed today, specifically for the appearance of both parties. However, the parties are not present before this Court. Therefore, this Court is having its own doubt on the genuineness of the compromise arrived at between the parties.



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6.In view of the above, this Court is not inclined to quash the proceedings on the ground of compromise. Accordingly, these Criminal Original petitions are dismissed with liberty to the petitioners to raise all their grounds before the trial Court. The trial Court shall ascertain the genuineness of the compromise arrived at between the parties and thereafter, proceed further in accordance with law. Consequently, connected miscellaneous petitions are closed.

22.07.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

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To

- 1.The Deputy Superintendent of Police,
Alangulam Sub Division,
Tenkasi District.
- 2.The Inspector of Police,
Surandai Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Common Order made in
Crl.OP(MD) Nos.1995 & 2161 of 2023 and
Crl.MP(MD) Nos.1816 and 1863 of 2023

22.07.2024