



CrI.O.P.(MD)No.2411 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.07.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.2411 of 2024

and

CrI.M.P.(MD)Nos.1854 and 1855 of 2024

Murugesan

... Petitioner

versus

1. State rep. by
The Inspector of Police,
Peraiyur Police Station,
Madurai District.

2. Muthukumaran

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 Cr.P.C. to call for the records relating to C.C.No.116 of 2023 pending on the file of the District Munsif cum Judicial Magistrate, Peraiyur, Madurai District and quash the same.

For Petitioner : Mr.D.Rajaboopathy



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For R1 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

For R2 : Mr.B.P.Raghavan

ORDER

The petitioner is the accused in C.C.No.116 of 2023 on the file of the District Munsif cum Judicial Magistrate Court, Peraiyur, Madurai District, for the offence punishable under Sections 420, 465, 467 and 469 IPC. He filed this petition to quash the proceedings in C.C.No.116 of 2023, which is pending against him.

2. The petitioner has moved this quash petition on the ground of compromise. The petitioner is a neighbour of the defacto complainant. The allegation against the petitioner is that he has created a forged document on the defacto complainant's property. The respondent Police, after conducting the investigation, has filed the final report and the same was taken on file C.C.No.116 of 2023



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pending on the file of the District Munsif cum Judicial Magistrate,
Peraiyur, Madurai District.

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3. The forgery of document cannot be treated as a case which can be quashed on the ground of compromise. Therefore, this Court is not inclined to quash the proceedings for this offence on the ground of compromise.

4. The learned Government Advocate (Crl. Side) submits that in this case, trial has commenced, L.W.1 was already examined and the case is posted on 13.08.2024 for examination of L.W.2 to L.W.4.

5. Since the trial has commenced, L.W.1 was examined and the case is posted on 13.08.2024 for examination of L.W.2 to L.W.4, the petitioner shall workout his remedy before the trial Court.



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6. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petitions are closed.

29.07.2024

Index : Yes / No.
Internet: Yes / No.
NCC : Yes/No.
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To

1. The District Munsif cum Judicial Magistrate,
Peraiyur,
Madurai District.
2. The Inspector of Police,
Peraiyur Police Station,
Madurai District.



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B.PUGALENDHI, J.

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