



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2022

CORAM

THE HON'BLE MR.JUSTICE **SATHI KUMAR SUKUMARA KURUP**

CRL.O.P (MD) No.5239 of 2021

and

Crl.M.P (MD) Nos.3026 and 3027 of 2021

1.R.Naga Vignesh

2.Arun Kumar

3.Pandiselvam

4.Padma

...Petitioners/ Accused 1 to 4

-vs-

1.State represented by

The Inspector of Police,
District Crime Branch,
Dindigul.

(Cr.No.01 of 2020)

... 1st Respondent/ Complainant

2. **(*)R.Muthuganesan**

... 2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records of the impugned Charge Sheet in **(*)C.C.No.301** of 2020 on the file of the learned Judicial Magistrate No.II, Dindigul, and to quash the same as illegal.

For Petitioner

: Mr.I.Velpradeep

For R1

: Mr.R.Meenakshi Sundaram

Additional Public Prosecutor

For R2

: Mr.Arun Raj

O R D E R

This Criminal Original Petition has been filed to quash the Charge Sheet in **(*)C.C.No.301** of 2020 on the file of the learned Judicial Magistrate No.II, Dindigul.

2.This Court by order, dated 15.04.2022, referred the case to the Mediation attached to this Bench. In the Mediation, the Petitioner had agreed to pay a sum of Rs.12,22,365/- to the De-Facto Complainant and does not intend to the proceed with the Criminal Complaint. Thereafter, the Petitioner, has deposited the said amount before the learned Judicial Magistrate No.II, Dindigul. The learned Judicial Magistrate-II, Dindigul, vide letter D.No.1951, dated 29.11.2022, confirmed the same.



3. In the light of the above, this Criminal Original Petition is allowed and the case in **(*)C.C.No.301** of 2020 on the file of the learned Judicial Magistrate No.II, Dindigul, is quashed. The learned Judicial Magistrate No.II, Dindigul, is directed to permit the De-Facto Complainant/second Respondent to withdraw the amount deposited by the Petitioner in the Court deposit on appropriate application.

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In the result, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)

(*)Amended as per order dated 09/02/2023 in Crl.Mp(MD) .No. 2299 of 2023 in Crl.op(MD) .No. 5239 of 2021

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/02/2023

Sub Assistant Registrar (CS)

cmr

(*) To be substituted the order already despatched on 21.12.2002
To

1. The Judicial Magistrate No.II, Dindigul.

2. The Inspector of Police,
District Crime Branch,
Dindigul.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.I.VELPRADEEP, Advocate (SR-58761[F] dated 30/11/2022)

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-58923[F] dated 01/12/2022)

CRL.O.P(MD) No.5239 of 2021
30.11.2022

RD(16/12/2022) 2P 6C

KB(27/02/2023) 2P 6C