

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 31.01.2019

CORAM:
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.23742 of 2016
and M.P.No.11782 of 2016

1.Shanthi Ram

2.Ramachandran

... Petitioners

Vs.

1.The Commissioner of Police,
Chennai City, Vepery,
Chennai-600 007.

2.The Inspector of Police,
Central Crime Branch,
Vepery, Chennai-600 007.
(Crime No.51 of 2005)

3.S.Rajasekaran,
Authorized Representative,
M/s.RDIS Infotech,
14/C,Ramachandra Road,
Nehru Nagar, Chrompet,
Chennai-600 044.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records relating to C.C.No.163 of 2012 pending on the file of the learned Judicial Magistrate, Alandur and quash the same insofar as the Petitioners are concerned.

For Petitioner : Mr.T.Gowthaman

For Respondents: Mr.M.Mohamed Riyaz for R1 & R2
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.163 of 2012, on the file of the learned Judicial Magistrate, Alandur, pursuant to the compromise arrived at by the parties.

2. The case is still in the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the third respondent. The parties were also present before the Court and they were identified by the investigating officer and they have also produced the copies of the Aadhaar Card, which are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the case pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.163 of 2012.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.163 of 2012, on the file of the learned Judicial Magistrate, Alandur is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.1000/- as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court, Madras), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Connected, miscellaneous petition is also closed.

* Enclosed the Xerox copy of the Compromise Memo.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rm

To

1.The Commissioner of Police,
Chennai City, Vepery,
Chennai-600 007.

2.The Inspector of Police,
Central Crime Branch,
Vepery, Chennai-600 007.
(Crime No.51 of 2005)

3.The Public Prosecutor,
High Court, Madras.

Copy To:

1.The Judicial Magistrate,
Alandur.

2.The Section Officer,
Accounts Section,
High Court, Madras -104.

+1cc to Mr.T.Gowthaman, Advocate, S.R.No.8473

CRL.O.P.No.23742 of 2016
and M.P.No.11782 of 2016

MG(CO)

rrs 07/03/2019