

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.4826 of 2019
and CRL.M.P.Nos.2843 & 2844 of 2019

1.K.Aravindadasan

2.K.Manikandan Petitioners/Accused 1 & 2

Vs.

1.State rep. by Inspector of Police,
K-6, T.P.Chatham Police Station,
Chennai.
Crime No.39 of 2018Respondent/Complainant

2.T.MuthumaniRespondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records in C.C.No.3607 of 2018 pending on the file of the learned V Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioners: Mr.G.Hariharan
For Respondents: Mr.M.Mohamed Riyaz for R1
Additional Public Prosecutor

Mr.M.Selvadhurai for R2

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.3607 of 2018, pending on the file of the learned V Metropolitan Magistrate, Egmore, Chennai.

2.The case is still in the stage of investigation. By passage of time, the second respondent has decided to bury his hatchet and compromise the dispute amicably.

3.An affidavit filed by the second respondent before this Court which has been signed by the second respondent and also by his respective counsel. All the parties are present and

identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired the second respondent and was satisfied that the second respondent has come to an amicable settlement with the petitioners.

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.3607 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.3607 of 2018, on the file of the learned V Metropolitan Magistrate, Egmore, Chennai is quashed and the terms of affidavit shall form part and parcel of this Order. The petitioners shall pay jointly a sum of Rs.5,000/-, as costs, to Udhavum Karangal, No.460, 25th Street, NSK Nagar, Arumbakkam, Chennai - 600 106 (Old age home/orphanage), 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 an affidavit reporting compliance in the Registry. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

pam

To

1. The Inspector of Police,
K-6, T.P.Chatham Police Station,
Chennai.
Crime No.39 of 2018

2. The V Metropolitan Magistrate, Egmore, Chennai.

3. The Public Prosecutor,
Madras High Court.

Copy to

Udhavum Karangal, No.460, 25th Street, NSK Nagar,
Arumbakkam, Chennai - 600 106 (Old age home/orphanage)

+1 CC to Mr.G.Hariharan, Advocate sr 30311.

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