



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.9481 of 2019

M.Sivachandran

...Petitioner

Vs.

1. The State

represented by Inspector of Police
Central Crime Branch,
EDF-II, Team -3,
Vepery, Chennai.
(Crime No.455/2015)

2. A.Murugan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records relating to the C.C.No.5002 of 2018, pending on the file of the learned Metropolitan Magistrate Court for CCB and CBCID Cases at Egmore, Chennai and quash the charge sheet.

For Petitioner : M/s.I.Periyaswamy

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor (for R1)
Mr.A.Murugan
Party in Person R2

ORDER

The Criminal Original Petition has been filed to call for the records relating to the C.C.No.5002 of 2018, pending on the file of the learned Metropolitan Magistrate Court for CCB and CBCID Cases at Egmore, Chennai and quash the charge sheet.

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, dated 24.06.2019, has been filed before this Court which have been signed by the petitioner and the 2nd respondent and also by their respective counsel. 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 Case in C.C.No.5002 of 2018, pending on the file of the learned Metropolitan Magistrate Court for CCB and CBCID Cases at Egmore, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.5002 of 2018, pending on the file of the learned Metropolitan Magistrate Court for CCB and CBCID Cases at Egmore, Chennai, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1500/- (Rupees One Thousand and Five Hundred only) as costs, to the credit of the Chief Justice Relief Fund payable by the petitioner, within a period of one week from the date of receipt of a copy of this order. The second respondent is permitted to withdraw the amount of Rs.2,00,000/- (Rupees Two Lakhs only) which has been deposited in Crime No.455 of 2015 before the learned XI Metropolitan Magistrate, Saidapet, Chennai.

*Enclosed Xerox Copy of the Memo of Compromise.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vv/gv

To

1. The Metropolitan Magistrate for CCB and CBCID Cases,
Egmore, Chennai.



2.The XI Metropolitan Magistrate,
Saidapet, Chennai.

3.Thro Chief Metropolitan Magistrate,
Chennai.

4. Inspector of Police
Central Crime Branch,
EDF-II, Team -3,
Vepery, Chennai.

5. The Public Prosecutor,
High Court, Madras.

Copy to:

The Section Officer,
Accounts Section, High Court, Madras.

+lcc to M/s.I.Periyaswamy, Advocate sr.52097

+lcc to Mr.A.Murugan, Advocate sr.51561

CRL.OP.No.9481 of 2019

mp(co)
nr 05/08/2019