

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:30.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11651 of 2019

Appun @ Dayalamoorthy

...Petitioner

Vs.

1.The State represented by
The Inspector of Police,
V-1 Police Station,
Villivakam,
Chennai - 600 049.

2.A.Manoharan

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for entire records in connection with the case in C.C.No.5453 of 2017, on the file of the learned Metropolitan Magistrate No.X, Egmore and quash the same.

For Petitioner : Ms.S.Deepika

For R1 : Mr.M.Mohamed Riyaz

O R D E R

This Criminal Original Petition has been filed to quash the C.C.No.5453 of 2017 pending on the file of the learned Metropolitan Magistrate No.X, Egmore, 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 Affidavit of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their 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 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 C.C.No.5453 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No. 5453 of 2017, on the file of the learned Metropolitan Magistrate No.X, Egmore is quashed and the terms of Affidavit of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5,000/-, as costs, to the Manasu (Mana Nala Sugalayam) at No.695/2, Vaithiar Street, Thirusulam, Chennai-43 (Ph:22640809, 7299110658) 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.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mpa

To

1.The Inspector of Police,
V-1 Police Station,
Villivakam,
Chennai - 600 049.

2.The Metropolitan Magistrate
Metropolitan Magistrate Court No.X
Egmore, Chennai.

3.The Incharge
Manasu (Mana Nala Sugalayam) at No.695/2, Vaithiar Street,
Thirusulam, Chennai-43

Copy to

The Section officer
Criminal Section
High court, Madras 104.

Cr1.O.P.No.11651 of 2019

RSV(CO)
SP(31/05/2019)