

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9327 of 2019 and
Crl.M.P.No.4925 of 2019

1.Thakali @ Gopinath
2.Muthumani @ Muthu
3.S.Neethimaran

...Petitioners/Accused

Vs.

The State rep by its

1.The Inspector of Police,
K1.Sembiam Police Station,
Chennai-11,
(Crime No.621 of 2015).

2.K.Karthick

...Respondents/Complainant/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to C.C.No.1430 of 2015 on the file of the V Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioners:Mr.E.C.Ramesh

For R1

:Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.1430 of 2015 on the file of the V Metropolitan Magistrate Court, Egmore, Chennai, pursuant to the compromise arrived at by the parties.

2.The case is pending for 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 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 proceedings 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.1430 of 2015.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1430 of 2015, on the file of the V Metropolitan Magistrate Court, Egmore, Chennai is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. Each of the petitioners shall pay a sum of Rs.5,000/- (Rupees five thousand only), as costs, to the Udavum Karangal, No.460, 25th Street, N.S.K. Nagar, Arumbakkam, Chennai, 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. Consequently, the connected miscellaneous petition is closed.

* Memo of Compromise Xerox copies enclosed;

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

vv2

To

1.The V Metropolitan Magistrate Court,
Egmore, Chennai.

2.The Inspector of Police,
K1.Sembiam Police Station,
Chennai-11,

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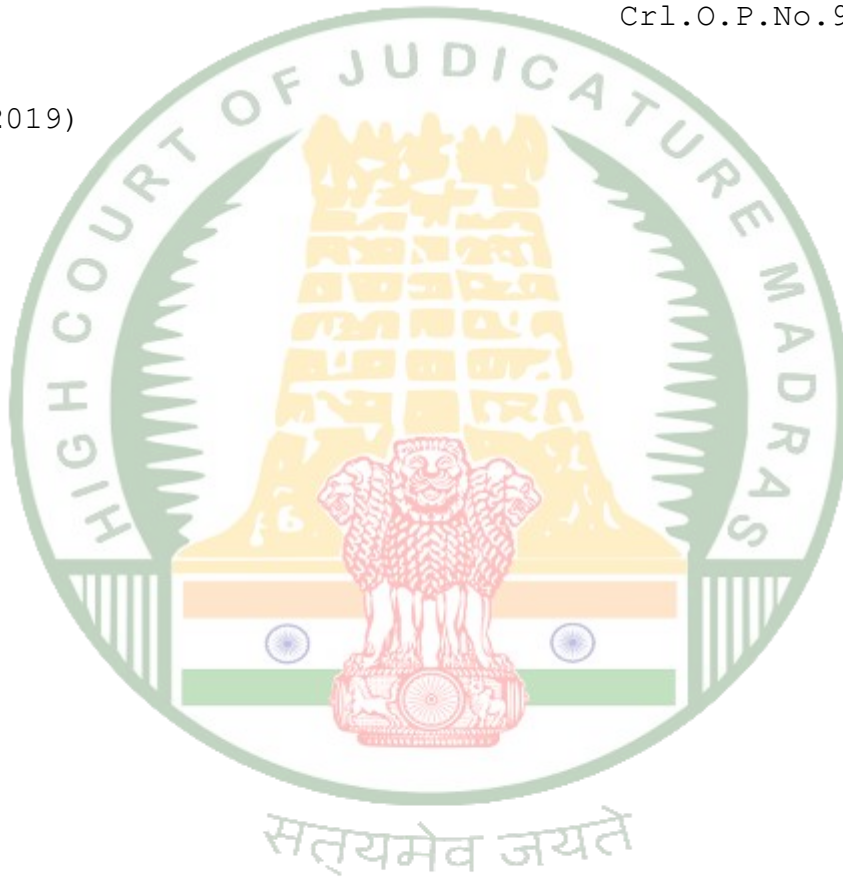
3.The Public Prosecutor,
High Court,
Madras.

4.The Manager
Udavum Karangal, No.460, 25th Street, N.S.K. Nagar,
Arumbakkam, Chennai

5.The Section officer
Criminal Section, High Court, Madras 104.

Crl.O.P.No.9327 of 2016

NRJK(CO)
SP(29/05/2019)



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