

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10838 of 2019 and
Crl.M.P.No.5560 of 2019

1.Mariappan
2.Madasamy

...Petitioners/Accused 1&2

Vs.

1.State Represented by The Inspector of Police,
Selaiyur Police Station, Tambaram,
Chennai.
(Crime No.519 of 2011).

2.R.Sethuramalingam ...Respondents/Complainant/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the charge sheet in P.R.C.No.7 of 2014 on the file of the Judicial Magistrate No.II, at Tambaram in Crime No.161 of 2018, on the file of the Inspector of Police S-15, Selaiyur Police Station.

For Petitioners: Mr.K.Pasupathy

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R2 : Mr.K.Sankaran

ORDER

This Criminal Original Petition has been filed to quash the proceedings in P.R.C.No.7 of 2014 on the file of the Judicial Magistrate Court No.II, Tambaram, 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 P.R.C.No.7 of 2014.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.7 of 2014, on the file of the Judicial Magistrate Court No.II, Tambaram 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.

ENCL: HEREUNDER INTO AFFIDAVIT OF MR.R.SETHU RAMALINGAM,
DATED 26.04.2019

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate Court No.II,
Tambaram.

2.The Inspector of Police,
Selaiyur Police Station, Tambaram,
Chennai.

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.

Crl.O.P.No.10838 of 2019

CSL/20.06.2019



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