

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19247 of 2019

1.K.Subramani @ Bullet Mani
2.S.Madhan

...Petitioners

.Vs.

1.State rep. by
Inspector of Police,
V-1, Villivakkam Police Station,
Chennai-600 049.

2.Mr.Viji @ Vijayamoorthy

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.3384 of 2009, on the file of the learned XIII Metropolitan Magistrate at Egmore, Chennai and quash the same.

For Petitioners : Mr.D.Magarajan
For 1st Respondent : Mr.C.Raghavan
Government Advocate

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.3384 of 2009, on the file of the learned XIII Metropolitan Magistrate at Egmore, Chennai.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.Compromise Memo dated 29.07.2019 has been filed by the petitioners and the second respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present in person before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are made part of the record. Based on Compromise Memo, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably

settled their issues. 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quash the proceedings in C.C.No.3384 of 2009.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.3384 of 2009 before the Court below, is hereby quashed and the terms of Compromise Memo shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.1000/- (Rupees one thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of one week from the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

*Here in enclosed xerox copy of memo of compromise dated 29.07.2019

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

KP

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

2. XIII Metropolitan Magistrate at Egmore, Chennai.

3. The Public Prosecutor, High Court of Madras.

4. The Sub Assistant Registrar,
Accounts Department, High Court, Madras

5. The Section Officer,
Criminal Section, High Court, Madras

+2ccs to Mr.D.Magarajan, Advocate SR.No. 64591, 64538
Crl.O.P No.19247 of 2019

ss

A.SK (04/09/2019)