

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:15.04.2019

CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 10129 of 2019

A.Senthil Kumar

...Petitioner/Accused

Vs.

1.State rep. by,

The Sub-Inspector of Police (L&O)
R7, K.K.Nagar Police Station,
Chennai-600 078.

...1st Respondent/Complainant

2.Raja @ Rajendran

...2nd Respondent/ Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and to quash the proceedings in C.C.No.125 of 2015 on the file of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai against the petitioner.

For Petitioner : Mr.K.R.Ramesh Kumar

For Respondents

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.125 of 2015 on the file of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, pursuant to the compromise arrived at by the parties.

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

3. The second respondent / Defacto complainant filed an affidavit before this Court seeking permission to compound the issue and settle the dispute. 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 Calender 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 proceedings in C.C.No.125 of 2015.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.125 of 2015 on the file of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5000/-, as costs, to the Manasu (Mana Nala Sugalayam) 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.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

rri

To

- 1.The Sub-Inspector of Police (L&O)
R7, K.K.Nagar Police Station,
Chennai-600 078.
- 2.The learned XXIII Metropolitan Magistrate,
Saidapet, Chennai
- 3.The Mansu (Mana Nala Sugalayam),
No.695/2, Vaithiar Street,
Thirusulam, Chennai - 43.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.R.Ramesh Kumar, Advocate, S.R.No.37499

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NA(CO)

RRS (25/07/2019)