

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.14809 of 2019

1. P.Ganesh Kumar

2. G.Pitchandi

...Petitioners

Vs.

1. State rep. by Inspector of Police,
T-6, Avadi Police Station,
Avadi, Chennai - 600 071.
(Crime No.1081 of 2017)

2. P.Kalaimani

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.331 of 2017 on the file of the learned Judicial Magistrate II, Poonamallee and quash the same.

For Petitioners : Mr.M.R.Kuyilan

For Respondents : Mr.C.Raghavan
Government Advocate (for R1)

ORDER

The Criminal Original Petition has been filed to call for the records relating to the Criminal case in C.C.No.331 of 2017 on the file of the learned Judicial Magistrate II, Poonamallee and quash the same in terms of the compromise by allowing this Criminal Original petition.

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 joint memo of Compromise, dated 10.06.2019, has been filed before this Court which have been signed by the petitioner and the 2nd respondent and also by their respective counsel. The petitioner and the 2nd respondent were also present in person before this Court and they were identified by Mr.R.Raveendran, Special Sub Inspector of Police, T-6, Avadi Police Station,

Avadi, Chennai - 600 071. 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 Case in C.C.No.331 of 2017 on the file of the learned Judicial Magistrate II, Poonamallee.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.331 of 2017 on the file of the learned Judicial Magistrate II, Poonamallee, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.500/- (Rupees Five Hundred 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 a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

ssr

*Copy of Joint Compromise memo is enclosed

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Poonamallee.
2. The Inspector of Police,
T-6, Avadi Police Station,
Avadi, Chennai - 600 071.
3. The Public Prosecutor,
High Court, Madras.

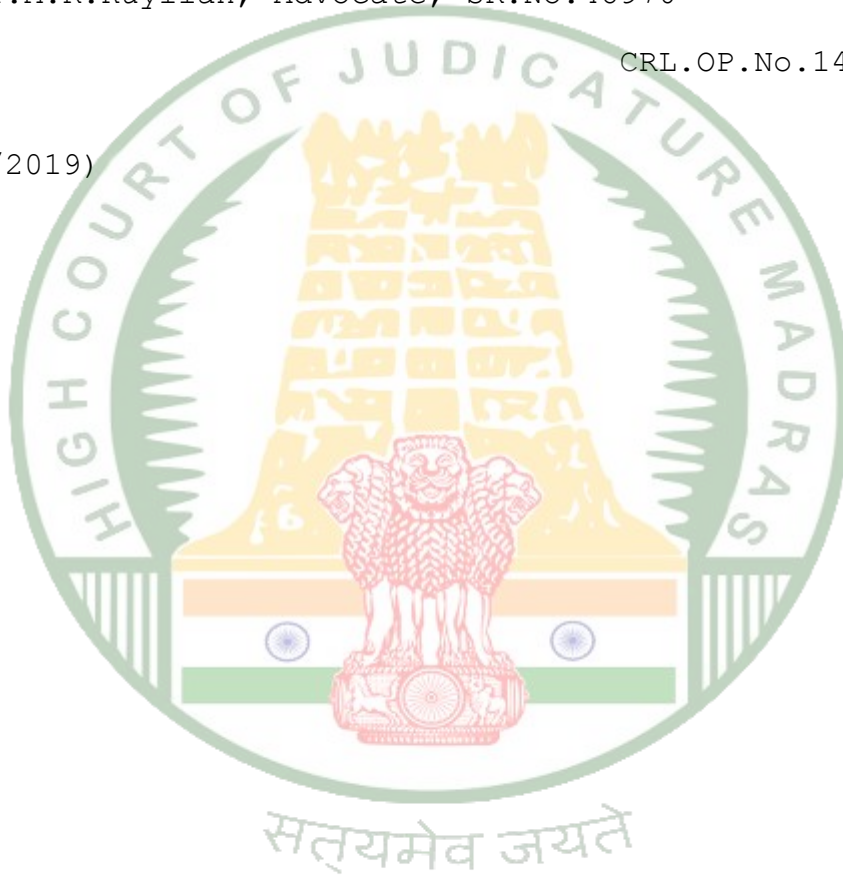
Copy to:-

1. The Sub Assistant Registrar,
Accounts Section,
High Court, Madras - 104.
2. The Section Officer,
Criminal Section,
High Court, Madras - 104.

+lcc to Mr.M.R.Kuyilan, Advocate, SR.No.48970

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Kak(25/07/2019)



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