

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.11181 of 2019

AND Crl.M.P.Nos.5717 and 5719 of 2019

1. Nambirajan
2. Selvam @ Selvaraj
3. Priya

..Petitioners

Vs.

1. The State Rep. by
Inspector o f Police,
S9 - Pazhavanthangal Police Station,
St. Thomas Mount District
Chennai-600 114. (Crime No.434 of 2014)

2. Murugaian

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records of the case pending trial in S.C. No.65 of 2017 on the file of Sub Court at Tambaram and quash the same as against the petitioners.

For Petitioners : Mr. Kingsly Solomon.J

For 1st Respondent : Mr. M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in S.C. No.65 of 2017 on the file of Sub Court at Tambaram.

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. The Affidavit dated 16.07.2019 has been filed by the second respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present in person before this Court and they were identified by Mrs. S.Mariyammal, W.Gr.I Police Constable-27764, S9, Palavanthangal Police Station. In order to identify the respective parties, they have also produced the copy of the Aadhaar Card is 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 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 S.C. No.65 of 2017 on the file of the Sub Court, Tambaram.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C No.65 of 2017, on the file of the Sub Court, Tambaram, is quashed and the terms of affidavit 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 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 Petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Subordinate Judge, Tambaram.
2. The Inspector of Police,
S9 - Pazhavanthangal Police Station,
St. Thomas Mount District, Chennai-600 114.
3. The Public Prosecutor, High Court of Madras.

Copy to :

1.The Registrar (Judicial)
High Court of Madras.

2.The Section Officer,Accounts Section,
High Court of Madras

+1 cc to M/s.Kingsly Solomon,Advocate Sr.No. 61367

+1 cc to Mr.N.Gopinath, Advocate Sr.No.61368

AKM/ 30.08.19/ 2P-8C /

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