

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.11364 of 2019

S.Chandra Sekar

...Petitioner

-Vs-

1. The State rep by its,
The Inspector of Police,
V-7, Nolambur Police Station,
Chennai

2. B.Rebeccal

... Respondents

Prayer:

Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records in C.C.No.312 of 2017 in Cr.No.769 of 2014 on the file of Judicial Magistrate Court, Ambattur and quash the same.

For Petitioner : Mr.S.Saranraj

For Respondents

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

For R2 : Mr.E.Gokulnath

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.312 of 2017 on the file of the learned Judicial Magistrate Court, Ambattur pursuant to the compromise arrived at by the parties.

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 has been filed before this Court which have been signed by the petitioner 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 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.312 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.312 of 2017 on the file of the learned Judicial Magistrate Court, Ambattur 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.5,000/- (Rupees Five Thosund only), as costs, to the Bharatha Madha Sevai Illam, No.2, Karpagambal Nagar, Tiruvallur, Ph:9444869770, 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.

* Xerox copy of Joint Compromise Memo dated 25.04.2019 enclosed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

lok

To

1. The Inspector of Police,
V-7, Nolambur Police Station,
Chennai
2. The Chief Judicial Magistrate Court,
Thiruvallur District.
3. The Judicial Magistrate Court,
Ambattur

4. The Secretary,
Bharatha Madha Sevai Illam, No.2,
Karpagambal Nagar, Tiruvallur District,
Ph:9444869770,

5. The Public Prosecutor,
High Court of Madras

Copy To
The Registrar (Judicial)
High Court, Madras.

+1cc to M/s.Meenakrithika, Advocate, S.R.No.40510

Crl.O.P.No.11364 of 2019

LN(CO)
CS/26/06/2019



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