

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2019

CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.12803 of 2019
&
Cr1.M.P.No.6638 of 2019

V.Nachiappan

..Petitioner

Vs.

1.C.T.Meenal

2.Minor Saikrithik

Represented by his mother/Guardian

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the order passed by the Chief Judicial Magistrate at Tiruppur in C.M.P.No.244 of 2019 in M.C.No.24 of 2018 dated 02.05.2019 and set aside the same.

For Petitioner : Mr.C.T.Udayappan

For Respondents : Mr.R.Bharath Kumar

ORDER

The Criminal Original Petition has been filed to set aside the order passed by the Chief judicial Magistrate, Tiruppur n C.M.P.No.244 of 2019 in M.C.No.24 of 2018 dated 02.05.2019 and quash the same.

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 memo of Compromise, dated 10.06.2019, has been filed before this Court which have been signed by the petitioner and the first respondent and also by their respective counsel. In order to identify the respective parties they have also produced the copy of the Aadhaar Card which 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 Case in C.M.P.No.244 of 2019 in M.C.No.24 of 2018 dated 02.05.2019 pending on the file of the Chief Judicial Magistrate, Tiruppur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in M.C.No.24 of 2018 on the file of the learned Chief Judicial Magistrate Court, Thiruppur, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Chief Judicial Magistrate,
Thiruppur.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Bharathkumar, Advocate, S.R.No.46684

+2ccs to Mr.C.T.Udayappan, Advocate, S.R.No.46350

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PA(CO)

RRS (02/07/2019)

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