

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2019

CORAM :

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.16897 of 2019

1. Dhanasekar

2. Udayakumar

..Petitioners

-Vs-

1. The State by,
Inspector of Police,
J-11, Kannagi Nagar Police Station,
Chennai.

2. Nathiya

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the case pending trial in S.C.No.26 of 2019 pending on the file of the learned Mahila Court, Chengalpattu and quash the same as against the petitioners in the above case.

For Petitioners : Mr.J.Kingsly Solomon

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R1

सत्यमेव जयते
ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.26 of 2019 pending on the file of the learned Mahila Court, Chengalpattu.

2. The case is still at 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 02.07.2019 has been filed by the 2nd 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 Mr.G.Ramesh

Babu, Head Constable (HC-16219), J-11, Kannagi Nagar Police Station, Chennai. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are made part of the record. In the affidavit it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in S.C.No.26 of 2019. 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.26 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.26 of 2019 pending on the file of the learned Mahila Court, Chengalpattu, is quashed and the terms of affidavit shall form part and parcel of this order.

ssr

* Enclosed Terms of Affidavit herewith

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Presiding Judge,
Mahila Court, Chengalpattu.

2. The Inspector of Police,
J-11, Kannagi Nagar Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Kingsly Solomon.J, Advocate, SR.No.55544

+1cc to Mr.Kingsly Solomon.J, Advocate, SR.No.55544

(dated : 17/07/2019)

Cr1.O.P No.16897 of 2019

Kak(17/07/2019)