

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17924 of 2019
and
Crl.M.P.No.9035 of 2019

1. K.Natarajan
Proprietor of M/s.Radhakrishnan
Engineering Company
2. S.Jeganathan
3. S.Rajan ... Petitioners

Vs.

1. State Rep by
The Inspector of Police,
City Crime Branch,
Coimbatore City.
2. R.Bharathan ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to call for the records in C.C.No.759 of 2013 pending trial on the file of the Learned Judicial Magistrate No.6 Coimbatore, Coimbatore District and quash the same.

For Petitioners : Mr.C.D.Johnson

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

For R2 : Mr.G.Hariharan

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.759 of 2013, on the file of the learned Judicial Magistrate No.6, Coimbatore, for an alleged offence under Sections 465, 467, 468, 471 and 120(b) of IPC.

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. A Memorandum of Compromise has been filed before this Court on 03.07.2019, which have been signed by the petitioners and the second 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 C.C., 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 Gujarath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the C.C.No.759 of 2013.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.759 of 2013, on the file of the Learned Judicial Magistrate, No.VI, Coimbatore, is quashed and the terms of Memorandum of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.1500/- (Rupees one thousand 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. Consequently, the connected Miscellaneous Petition is also closed.

ENCL: Xerox Copy of Memo of Compromise

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

msrm/rka

To

1. The Judicial Magistrate No-VI,
Coimbatore.
2. The Inspector of Police,
City Crime Branch,
Coimbatore City.

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3.The Public Prosecutor,
High Court,
Madras.

4. The Section Officer,
Account Section,
High Court, Madras.

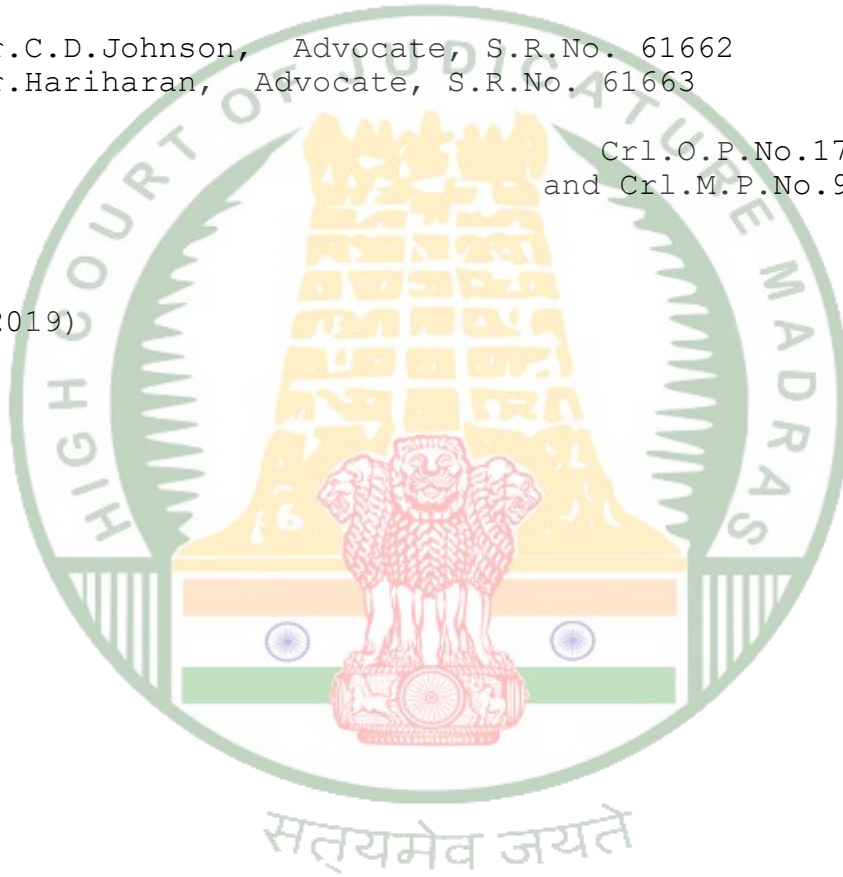
5. The Section Officer,
Criminal Section,
High Court, Madras.

+1cc to Mr.C.D.Johnson, Advocate, S.R.No. 61662

+1cc to Mr.Hariharan, Advocate, S.R.No.61663

Crl.O.P.No.17924 of 2019
and Crl.M.P.No.9035 of 2019

BR(CO)
GN(25/07/2019)



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