

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP No.19482 of 2019

1. Devendran
2. Logu @ Loganathan
3. Dhatchanamoothy
4. Dhayanithi
5. Chandiran
6. Dharani
7. Venkatesan
8. Kumaraguru
9. Manirathinam

...Petitioners

Vs.

1. State by the
The Inspector of Police,
B4, Baluchettychathiram Police Station,
Kanchipuram District.
Crime No.496 of 2015

2. Nalini

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to quash the charge sheet in C.C No.20 of 2016, in Crime No.496 of 2015 pending before the Judicial Magistrate Court No.I, Kancheepuram District, based on the compromise, petitioners moved this petition for quashing the charge sheet.

For Petitioners : Mr.Krishnasamy Chinnasamy

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

For 2nd Respondent : Mr.D.K.Ravishankar

ORDER

The Criminal Original Petition has been filed seeking to quash the charge sheet in C.C No.20 of 2016 in Crime No.496 of 2015 pending before the Judicial Magistrate Court No.I,

Kancheepuram District, in terms of the compromise by allowing this Criminal Original petition.

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. An affidavit dated 23.07.2019, has been filed before this Court which has been signed by the second respondent and also by her respective counsel. The petitioners and the second respondent were also present in person before this Court. 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 Case in C.C No.20 of 2016 pending on the file of the Judicial Magistrate No.I, Kancheepuram.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C No.20 of 2016 pending on the file of the Judicial Magistrate No.I, Kancheepuram is hereby quashed and the terms of affidavit shall form part and parcel of this order.

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**Copy of terms of affidavit enclosed herewith*

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I,
Kancheepuram.
2. The Inspector of Police,
B4, Baluchettychathiram Police Station,
Kanchipuram District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Krishnasamy Chinnasamy, Advocate, SR.No.63072

+1cc to Mr.Krishnasamy Chinnasamy, Advocate, SR.No.63072
(dated: 08.08.2019)

CRL.OP.No.19482 of 2019

Kak (06/08/2019)



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