

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.22220 of 2019
and Crl.M.P.No.11521 & 11522 of 2019

1. V.Mahesh
2. Murugan
3. Ramesh Rawal

...Petitioners/Accused 1 to 3

Vs.

1. State by: Inspector of Police
Central Crime Branch EDFII Team -III
Office of Commissioner of Police,
Egmore,
Chennai - 600 008. ...1st Respondent/Complainant

2. M.Nainsingh Rajpurohit @ Nitesh
S/o.Maganlalji
Carrying business under name style of
M/s.Magalal Jewellers
No.116, Taurus Tower 3rd Floor,
N.S.C.Bose Road, Sowcarpet,
Chennai - 600 079.
...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under
Section 482 of Cr.P.C., to call for the records in
C.C.No.6201 of 2018 on the file of the Metropolitan
Magistrate, CCB and CBCID Cases, Egmore, Chennai - 600
008 and quash the same.

For Petitioner : M/s.Mohammed Rafi
For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to
call for the records in C.C.No.6201 of 2018, pending on
the file of the Metropolitan Magistrate, CCB and CBCID
Cases, Egmore, Chennai - 600 008.

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 Joint compromise memo dated 28.03.2019 has been filed by the second respondent/defacto complainant. The petitioner 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 and 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 Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the C.C.No.6201 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceeding in C.C.No.6201 of 2018, on the file of the Metropolitan Magistrate, CCB and CBCID Cases, Egmore, Chennai - 600 008, is quashed. Each of the petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty Rupees 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 copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

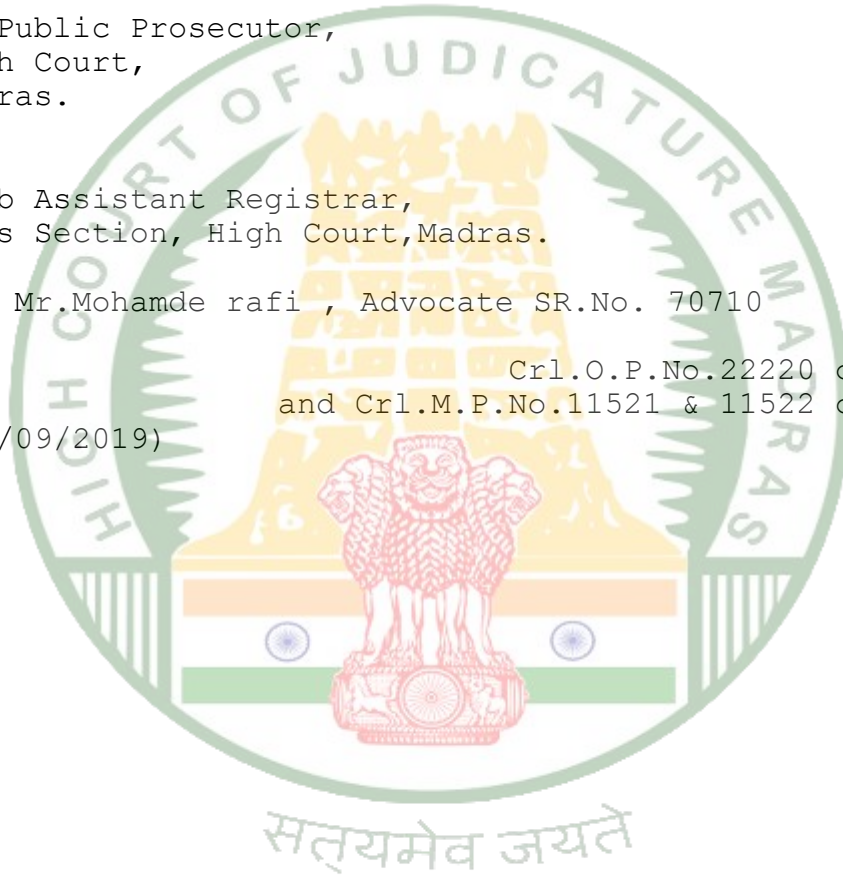
1. The Metropolitan Magistrate,
CCB and CBCID Cases,
Egmore, Chennai - 600 008
2. The Inspector of Police
Central Crime Branch EDFII Team -III
Office of Commissioner of Police,
Egmore, Chennai - 600 008.
3. The Public Prosecutor,
High Court,
Madras.

Copy to
The Sub Assistant Registrar,
Accounts Section, High Court, Madras.

+1cc to Mr. Mohamde rafi , Advocate SR.No. 70710

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A.SK(25/09/2019)



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