

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.22120 of 2019
and CRL.M.P.No.11460 & 11461 of 2019

1. Kisar Ahmed
2. Afshat Khadum
3. Syed Arif
4. Asyha Begum

...Petitioners

Vs.

1. Inspector of Police,
W-19, All Women Police Station,
Adyar, Chennai - 600 020.
(Crime No.9 of 2013)

2. Anees Fathima

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.179 of 2015 on the file of the learned Judicial Magistrate, Alandur, Chennai, against the petitioners in this case, quash the above case against the petitioners.

For Petitioners : Mr.V.Lakshmi Narayanan

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor for R1

ORDER

The Criminal Original Petition has been filed to call for the records in C.C.No.179 of 2015 on the file of the learned Judicial Magistrate, Alandur, Chennai, against the petitioners in this case, quash the above case against the petitioners.

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 joint memo of Compromise has been filed before this Court which have been signed by the 1st petitioner and the 2nd respondent and also by their respective counsel. The petitioners and the 2nd respondent were also present in person before this Court and they were identified by Ms.Ananthi, Head Constable

(WHC 16918), W-19, All Women Police Station, Adayar, Chennai - 600 020. 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 and joint memo of Compromise it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in C.C.No.179 of 2015. 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.179 of 2015, on the file of the learned Judicial Magistrate, Alandur, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.179 of 2015 on the file of the learned Judicial Magistrate, Alandur, Chennai, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

-s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate,
Alandur, Chennai
 2. Inspector of Police,
W-19, All Women Police Station,
Adyar, Chennai - 600 020.
 3. The Public Prosecutor,
High Court, Madras.
- +1 CC to Mr.V.Lakshmi Narayanan, Advocate sr 70117

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MP(CO)
SP(19/09/2019)