

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.22054 of 2019

S.Nagarajan

... Petitioner/Accused No.2

vs.

1.The State Rep. by
E-8, The Inspector of Police,
Kelambakkam Police Station,
Kelambakkam, Chengalpet. ...Respondent / Complainant

2. Immanuvel ... Respondent /Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to C.C.No.245 of 2017, pending on the file of the Judicial Magistrate No.1,Chengalpet and quash the same against the petitioner.

For Petitioner : Mr.E.Rajabalaji

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

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.245 of 2017, pending on the file of learned Judicial Magistrate No.1,Chengalpet.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves.

3. An affidavit of compromise has been filed by the de-facto complainant before this Court. The petitioner and the second respondent /defacto complainant were also present in person before this Court. In order to identity the respective parties, they have also produced the copy of the Aadhaar Card, which is

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 C.C.No.245 of 2017. 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 proceedings 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.245 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.245 of 2017, is hereby quashed only insofar as the petitioner/A2 is concerned. The terms of Affidavit shall also form part and parcel of this order. The petitioner shall pay a sum of Rs.500/- (Rupees 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 two weeks 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.

6. The learned Judicial Magistrate No.I, Chengalpet is directed to dispose of the C.C.No.245 of 2017 as against A1, within a period of four months from the date of receipt of copy of this order.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Judicial Magistrate No.1,
Chengalpet.
2. The Inspector of Police,
E-8, Kelambakkam Police Station,
Kelambakkam, Chengalpet

3.Do- Thro' The Chief Judicial Magistrate,
Chengalpattu.

4. The Public Prosecutor
High Court of Madras.

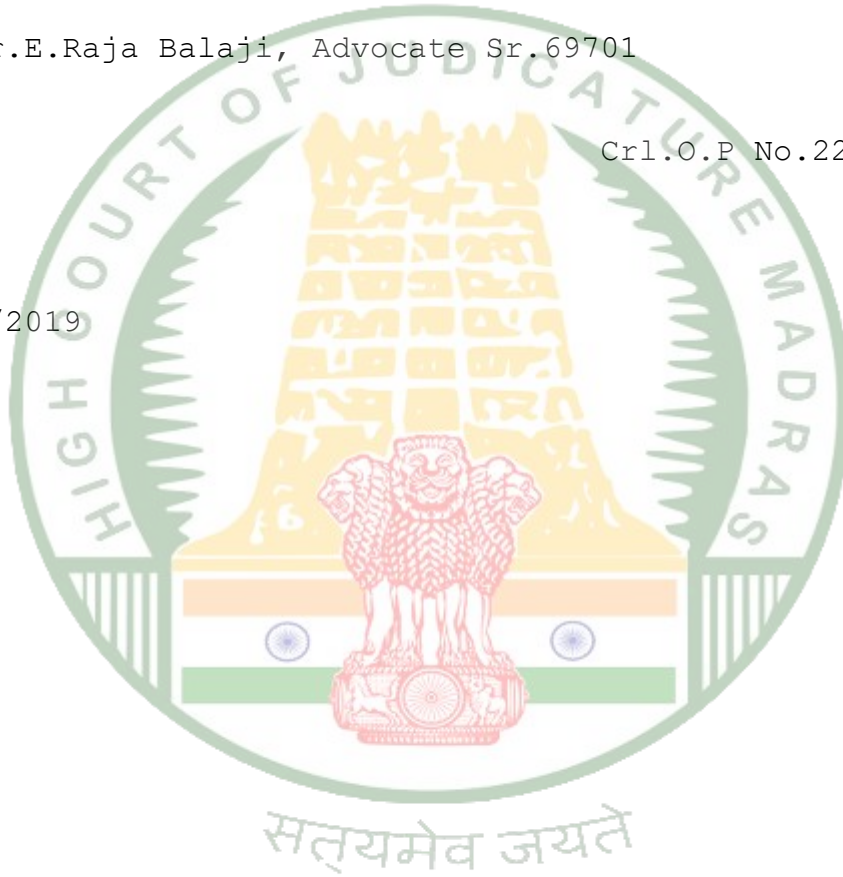
5.The Section Officer,
Accounts Section,
High Court, Madras.

(To the credit of Chief Justice Relief Fund)

+1cc to Mr.E.Raja Balaji, Advocate Sr.69701

Crl.O.P No.22054 of 2019

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