

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.08.2019
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P No.23133 of 2019

Kallar Mani @ Othakkanmani

Petitioner

vs.

M.Ramachandran, (Deceased)

Defacto complainant

1. The State rep. by
The Deputy Superintendent of Police,
Kothagiri Police Station,
The Nilgris District.
(Crime No.23 of 2010) ...1st Respondent/Complainant
2. Rani ...2nd Respondent/Victim

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.C.No.38 of 2016 on the file of the Principal District and Sessions Judge of Uthagamandalam, The Nilgris District, registered and quash the same.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R1
Rani
Party-in-Person for R2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C. No.38 of 2016, pending on the file of the Principal District and Sessions Judge of Uthagamandalam, The Nilgris District.

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 Affidavit dated 26.08.2019 has been filed by the 2nd respondent before this Court. The petitioners and the second respondent were also present in person before this Court. 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 S.C. No.38 of 2016. 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 proceedings in S.C. No.38 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C. No.38 of 2016, on the file of the Principal District and Sessions Judge of Uthagamandalam, The Nilgris District, is quashed insofar the petitioner is concerned and the proceedings can go on against the other accused persons and the terms of affidavit shall 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 Clerk Association, Madras High Court, Chennai, 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.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

ssr

To

1. The Deputy Superintendent of Police,
Kothagiri Police Station,
The Nilgris District.

2. The Public Prosecutor,
High Court, Madras.

Copy to

Advocate Clerk Association
Madras High Court
Chennai

+1 CC to Mr.W.Camyles Gandhi, Advocate sr 73546.

Cr1.O.P No.23133 of 2019

PPA (CO)
SP(24/09/2019)