

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.22981 of 2019 and
CrI.M.P.Nos.12018 & 12019 of 2019

Glasten Grace

.. Petitioner

Vs.

1. The Inspector of Police,
City Crime Branch,
Coimbatore City, Coimbatore.

2. Nagalakshmi

... Respondents

PRAYER :

Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the complaint in C.C.No.1026 of 2009 on the file of the Learned Judicial Magistrate No.2, Coimbatore, quash the same by allowing this Criminal original petition.

For Petitioner : Mr.D.Arun Kumar

For Respondents : Mr.M.Mohamed Riyaz (for R1)
Additional Public Prosecutor

Mr.M.N.Balakrishnan (for R2)

ORDER

This Criminal Original Petition has been filed to call for the records relating to the complaint in C.C.No.1026 of 2009 on the file of the Learned Judicial Magistrate No.2, Coimbatore, quash the same by allowing this Criminal original petition.

2. This 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.A joint memo of compromise of the petitioner and the 2nd respondent/defacto complainant dated 28.08.2019 has been filed before this Court which has been signed by the petitioner

and the 2nd respondent/defacto complainant. In order to identify the respective parties they have also produce 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 C.C.No.1026 of 2009 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 C.C.No.1026 of 2009 on the file of the learned Judicial Magistrate No.2, Coimbatore.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1026 of 2009 on the file of the learned Judicial Magistrate No.2, Coimbatore, is quashed only in so far as the petitioner is concerned and the joint memo of compromise of the petitioner and the 2nd respondent/defacto complainant shall form part and parcel of this order. The petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty 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.

6.The Court below is directed to proceed further in so far as the other accused persons are concerned and complete the proceedings within a period of three months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

* Xerox copy of Memo of Compromise
dated 28.08.2019 enclosed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vs

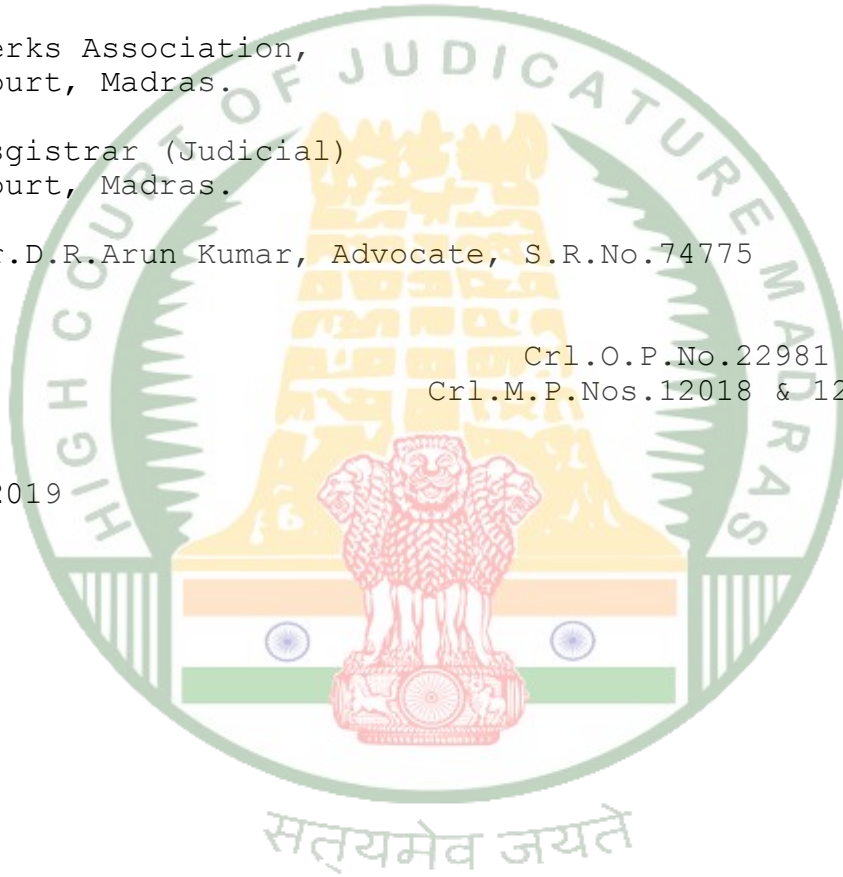
To

1. The Judicial Magistrate No.2,
Coimbatore.
2. The Inspector of Police,
City Crime Branch,
Coimbatore City,
Coimbatore.
3. The Public Prosecutor,
Madras High Court.
4. The Clerks Association,
High Court, Madras.
5. The Registrar (Judicial)
High Court, Madras.

+1cc to Mr.D.R.Arun Kumar, Advocate, S.R.No.74775

CrI.O.P.No.22981 of 2019 and
CrI.M.P.Nos.12018 & 12019 of 2019

SS(CO)
CS/20/11/2019



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