

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.423 of 2017
and
Crl. M.P No.300 of 2017

Veerapandiyan ...Petitioner/Accused
Vs.

1.The Sub Inspector of Police,
Avinakudi Police Station,
Cuddalore District.
(Crime No.9 of 2016) ... Respondent/Complainant
2.S.Mariyammal ...Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the connected records in Charge Sheet in C.C No.46 of 2016 on the file of District Munsif cum Judicial Magistrate, Thittagudi, Cuddalore District and quash the same as illegal.

For Petitioner : Mr. M.Velmurugan

For 1st Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For 2nd Respondent : Mr.Babu Muthu Meeran

ORDER

The Criminal Original Petition has been filed seeking to quash the C.C.No.46 of 2016 on the file of the learned District Munsif-cum-Judicial Magistrate, Thittagudi, Cuddalore District.

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 Compromise Memo, dated 09.07.2019, has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in

person before this Court and they were identified by the Investigating Officer. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are 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 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.46 of 2016 pending on the file of the learned District Munsif-cum-Judicial Magistrate, Thittagudi, Cuddalore District.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.46 of 2016 pending on the file of the learned District Munsif-cum-Judicial Magistrate, Thittagudi, Cuddalore District is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. District Munsif-cum-Judicial Magistrate,
Thittagudi, Cuddalore District.

2.The Sub Inspector of Police,
Avinakudi Police Station,
Cuddalore District.

3.The Public Prosecutor,
High Court, Madras.

1cc to Mr.M.Velmurugan, Advocate Sr.57624

CRL.OP.No.423 of 2017
and
Cr1.M.P.No.300 of 2017

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srg 31/07/2019