

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Cr1.O.P.No.23844 of 2019

R.Viswanathan

...Petitioner

Vs.

1.The State, represented by
The Inspector of Police,
G-3, Kilpauk Police Station,
Chennai 600 010.

2.D.Sangeetha

...Respondents

PRAYER: Criminal Original Petition filed under Section 483 of Cr.P.C., to call for the records in C.C.No.6488 of 2012 pending on the file of the learned Chief Metropolitan Magistrate at Egmore, Chennai - 8 and quash the same under the grounds of compromise.

For Petitioner : Mr.M.Anandaraj

For Respondent 1: Mr.C.Iyyapparaj,
Additional Public Prosecutor

For Respondent 2: Mrs.Vinu Pradha

O R D E R

This Criminal Original Petition has been filed to call for the records in C.C.No.6488 of 2012 pending on the file of the learned Chief Metropolitan Magistrate at Egmore, Chennai - 8 and quash the same under the grounds of compromise.

2.This case is arising out of a matrimonial dispute and this case is still at the stage of Trial. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves.

3.A joint memo of compromise of the petitioner and the 2nd respondent/defacto complainant dated 04.09.2019 has been filed before this Court which has been signed by the petitioner and 2nd

respondent/defacto complainant. The petitioner and the 2nd respondent / defacto complainant are present before the Trial Court and have been identified by their respective counsels. 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.6488 of 2012 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 C.C.No.6488 of 2012 on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.6488 of 2012 on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai is quashed 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.10000/- (Rupees Ten Thousand only) as costs, to the credit of the legal services authority attached to this Court, 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.

* Memo of Compromise Xerox Copies Enclosed

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

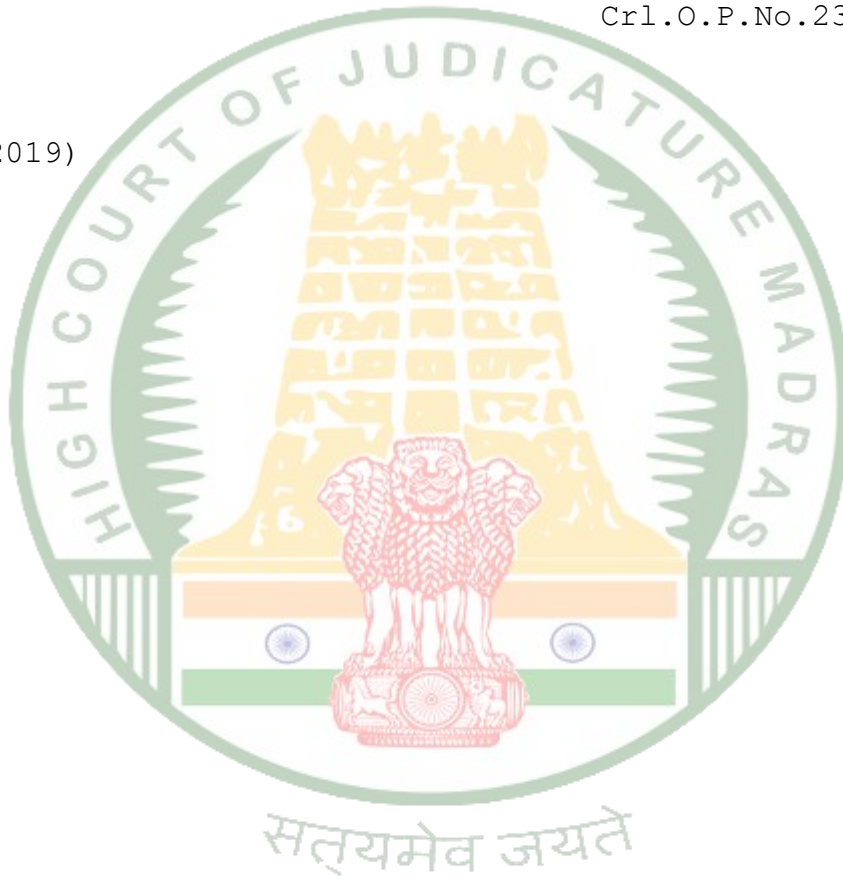
1. The learned Chief Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
G-3, Kilpauk Police Station,
Chennai 600 010.
3. The Additional Public Prosecutor,
Madras High Court.

Copy to
The Secretary
Legal Services Authority
High Court of Madras
Chennai 104.

+1 CC to Ms.A. Vinupradha, Advocate sr 76423.
+1 CC to Mr.M.Anandaraj, Advocate sr 76442.
+2 CC to Mr.M.Anandaraj, Advocate sr 77043(06/09/2019)

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BP (CO)
SP(05/09/2019)



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