

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.2249 of 2017
and CRL.M.P.No.1600 of 2017

1. N.Yeshwin Kumar
2. G.nandakumar
3. Hemalatha
4. N.Navin Kumar

...Petitioners/ Respondents

Vs.

Kavitha Yeshwin Kumar

...Respondent/ Petitioner

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to DVC No.7 of 2016 on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai and quash the same as against the petitioners.

For Petitioners : Mr.S.M.Vidyapathi

For Respondent : Mr.Suresh Sampath

ORDER

The Criminal Original Petition has been filed to call for the records relating to DVC No.7 of 2016 on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai and quash the same.

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 memo of Compromise, dated 09.08.2019, has been filed before this Court which have been signed by the petitioners and the respondent and also by their respective counsel. The petitioners and the respondent were also present in person before this Court. 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 DVC No.7 of 2016, on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in DVC No.7 of 2016, on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

**Copy of Joint Compromise Memo is enclosed herewith*

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The XVIII Metropolitan Magistrate,
Saidapet, Chennai.
2. -Do- Thro' The Chief Metropolitan Magistrate,
Egmore, Chennai.

+2cc to Mr.S.M.Vidyapathi, Advocate, SR.No.68769/19

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Kak(18/09/2019)