



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2019

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.31008 of 2019

1.Manikandan
2.Balaji Saravanan
3.Padmini
4.Seethalakshmi

...Petitioners

vs.

1.The State:
The Inspector of Police,
W-33, All Women Police Station,
Madhavaram, Chennai.

2. Kaviya

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the charge sheet in C.C.No.139 of 2019 pending on the file of the Learned Judicial Magistrate Court II, Ponneri and quash the same.

For Petitioners : Mr.P.S.Muralidhara Rao
For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor for R1

:Mr.V.C.Vinoth Kumar for R2

ORDER

This Criminal Original Petition has been filed by Accused Nos.1 to 4 to call for the records in C.C.No.139 of 2019 pending on the file of the Learned Judicial Magistrate No.II, Ponneri and quash the same.

2. The respondent has filed a charge sheet stating that the petitioners herein have committed offences punishable u/s.294 (b), 420, 506(ii) r/w 34 of IPC and based on the same the learned Judicial Magistrate No.II, Ponneri has taken the case on file as C.C.No.139 of 2019.



3. 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.

4. A Compromise memo, dated 09.12.2019, has been filed before this Court which has been signed by the petitioners and the 2nd respondent/ defacto complainant and also by the counsel for the petitioners and the 2nd respondent. The petitioners and the 2nd respondent are present in person before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and they are made part of the record. This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves.

5. 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.139 of 2019 on the file of the Learned Judicial Magistrate No.II, Ponneri against the petitioners herein/A1 to A4 .

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.139 of 2019 on the file of the Learned Judicial Magistrate No.II, Ponneri is hereby quashed as against the petitioners herein (A1 to A4) and the terms of Compromise Memo shall form part and parcel of this order.

***Enclosed Xerox Copy of the Memorandum of Compromise**

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate No.II,
Ponneri.

2/3



WEB COPY

2. The Inspector of Police,
W-33, All Women Police Station,
Madhavaram, Chennai.

3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.P.S.Muralidhara Rao, Advocate sr.103187

+lcc to Mr.V.C.Vinoth Kumar, Advocate sr.102705

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rsk(co)
nr 23/01/2020