

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2019

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.34051 of 2019

1. S.Ashokan
2. M.Vinay
3. Rajasekar
4. Sarasbabu
5. Loganathan ...Petitioners
P2 to P5 are impleaded as per order in Crl.OP.34051/19 dated
19/12/19.

vs.

1.The State Rep. by,
The Inspector of Police,
K-4 Anna Nagar Police Station,
Chennai - 600 040.

2.K.Malaiyappan ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the criminal case pending in C.C.No.4342 of 2019 on the file of Learned Chief Metropolitan Magistrate at Egmore.

For Petitioners: Mr.M.Anandaraj

For Respondents: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor - forR1

ORDER

This Criminal Original Petition has been filed to call for the records and quash the criminal case pending in C.C.No.4342 of 2019 on the file of Learned Chief Metropolitan Magistrate at Egmore.

2. The first respondent has filed a charge sheet stating that the petitioners have committed the offences under Sections 147, 148, 341, 294(b), 323 of IPC r/w 3(1) of TNPPDL Act and based on the same, the learned Chief Metropolitan Magistrate at Egmore has taken the case on file in C.C.No.4342 of 2019.

3. The case is still pending 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 19.12.2019, 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. 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 non-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 Case in C.C.No.4342 of 2019 on the file of the learned Chief Metropolitan Magistrate at Egmore against the petitioners herein.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.4342 of 2019 on the file of the learned Chief Metropolitan Magistrate at Egmore is hereby quashed as against the petitioners herein and the terms of Compromise Memo shall form part and parcel of this order.

*Xerox copy of the Memo of Compromise enclosed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ebsi

To

1. The Chief Metropolitan Magistrate Court,
Egmore.

2. The Inspector of Police,
K-4 Anna Nagar Police Station,
Chennai - 600 040.

3. The Public Prosecutor,
High Court, Madras.

+2cc to Mr.Anandaraj, Advocate SR.106019
+2cc to Mr.R.Arumugam, Advocate SR.105707

CrI.O.P No.34051 of 2019

MP (CO)
CB(14/02/2020)



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