

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.Nos.29170 of 2018 & 740 of 2019

and

Cr.l.M.P.Nos.17078 & 17081 of 2018 and 482 & 484 of 2019

1.A.Elangovan
2.R.Siva Kumar
3.R.Madhavan

... Petitioners in
CrI.O.P.No.29170 of 2018

1.P.Manikandan @ C.D.Mani
2.Vinoth @ Vinoth Kumar
3.Hariharan
4.Suresh @ Soori Suresh

... Petitioners in
CrI.O.P.No.740 of 2019

Vs.

1.State by
Inspector of Police,
R-1, Mambalam Police Station,
Chennai.

2.A.Ramachandran

... Respondents
in both petitions

Prayer: Criminal Original petitions filed under Section 482 of the Criminal Procedure Code, to call for the records and quash the Charge Sheet in C.C.No.10539 of 2018, pending trial on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai respectively and quash the same.

For Petitioners : Mr.C.D.Johnson
in both petitions

For Respondent 1 : Mr.M.Mohamed Riyaz
in both petitions Additional Public Prosecutor

For Respondent 2 : Mr.M.Murali
in both petitions

COMMON ORDER

The Criminal Original Petitions have been filed to quash the proceedings in C.C.No.10539 of 2018 pending on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai, pursuant to the compromise arrived at by the parties.

2. The cases are still in the stage of proceedings. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. Counter affidavit of the second respondent / de-facto complainant has been filed before this Court. The parties were also present before the Court and they have also produced the copies of the Aadhaar Card which 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 proceedings 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 proceedings in C.C.No.10539 of 2018.

5. This Criminal Original Petitions stand allowed and as a sequel, the proceedings in C.C.No.10539 of 2018, pending on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai is quashed and the terms of counter affidavit of the second respondent / de-facto complainant shall form part and parcel of this order.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dss

To

1. The XVII Metropolitan Magistrate,
Saidapet, Chennai.

2. The Inspector of Police,
R-1, Mambalam Police Station,
Chennai.

3. The Public Prosecutor,
Madras High Court.

+2 cc to M/s.C.D.Johnson, Advocate Sr.No.6118

Crl.O.P.Nos.29170 of 2018 & 740 of 2019

KAN(CO)
CSL/06.02.2019



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