

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.29669 of 2018

and

CRL.M.P.No.17418 of 2019

1.Sachit Saguja

2.Manikandan

3.Swetha

...Petitioners/Accused 1, 2 & 4

Vs.

K.Kannan

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records of the complaint pending on the file of the Learned XIIIth Metropolitan Magistrate, Egmore in C.C.No.6335 of 2018 and quash the same.

For Petitioner : Mr.Ganesh and Ganesh

For Respondent : Mr.Raja babu

ORDER

This Criminal Original Petition has been filed to quash the proceedings in CC No.6335 of 2018 on the file of the Learned XIII th Metropolitan Magistrate, Egmore in C.C.No.6335 of 2018.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The Consent Affidavit dated 11.06.2019 has been filed by the respondent/complainant before this Court . 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 First Information Report 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 Gujarath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C quashes the proceedings in C.C.No.221 of 2018.

5. The learned counsel for the petitioner had handed over the Demand Draft for a sum of Rs.2,50,000/- to the respondent/complainant who was also present before the Court and the respondent /complainant acknowledged the receipt of the same.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.6335 of 2018, on the file of the learned Judicial Magistrate, Egmore, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.1000/- as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry, Madras) within a period of one week from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is also closed.

ENCL: Xerox copy of affidavit filed
by respondent

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jas/rka

To

- 1.The XIII Metropolitan Magistrate, Egmore.
2. do Thro The Chief Judicial Magistrate, Chennai.
- 3.The Section Officer,
Accounts Section,
High Court, Madras
(To verify the payment of cost)

+1cc to Mr.Ganesh and Ganesh, Advocate, S.R.No. 47418

WEB COPY

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BP (CO)
GN(23/07/2019)