

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.30290 of 2018
and CRL.M.P.Nos.17819 & 17821 of 2018

1. L.Balaji
2. Andrews
3. Samarkhan ...Petitioners/A1 to 3

Vs.

1. The State by its,
The Inspector of Police,
R4-Soundarapandiyanar Police Station,
T.Nagar.
(Crime No.59 of 2018) ...1st Respondent/Complainant
2. Priya ...2nd Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the case in C.C.No.4199 of 2018 pending on the file of the Metropolitan Magistrate No.XVII, Saidapet, Chennai and quash the same.

For Petitioners : Mr.J.P.Rajesh

For Respondents : Mr.C.Raghavan
Government Advocate for R1

R2 : Mr.G.Dhayashankar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.4199 of 2018, on file of the learned Metropolitan Magistrate No.XVII, Saidapet, Chennai.

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

3. The Affidavit dated 07.08.2019 has been filed by the 2nd respondent/de-facto complainant before this Court. The

petitioners and the second 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. In the affidavit it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in C.C.No.4199 of 2018. 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 Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceeding in C.C.No.4199 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.4199 of 2018, on file of the learned Metropolitan Magistrate No.XVII, Saidapet, 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.750/- (Rupees Seven Hundred and Fifty only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of one week from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

*Xerox copy of the memo of compromise enclosed.

ssr

To

1. The XVII Metropolitan Magistrate,
Saidapet, Chennai.
- 2.-Do-Thro'The Chief Metropolitan Magistrate,
Egmore, Chennai-8.
3. The Inspector of Police,
R4-Soundarapandiyanar Police Station,
T.Nagar.

4. The Public Prosecutor,
High Court, Madras.

Copy to: The Section Officer,
Accounts Section,
High Court, Madras-104.

+lcc to Mr.K.G.Senthilkumar, Advocate SR.68181

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SV(CO)
CB(03/12/2019)