

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.Nos.883 of 2020 and 33831 of 2019

Byjesh ...Petitioner in Crl.O.P.No.883/2020

Ramakrishnan ...Petitioner in
Crl.O.P.No.33831/2019

Vs.

1.The Inspector of Police
V-5, Thirumangalam Police Station-Crime,
Thirumangalam,
Chennai - 600 101.
Cr.No.176/2016

2.Jose ...Respondents in both Crl.O.Ps.

COMMON PRAYER: Criminal Original Petitions filed under
Section 482 of Criminal Procedure Code, to call for the
records and quash the charge sheet in CC.No.7740 of 2017, on
the file of the XIII Metropolitan Magistrate, Egmore, Chennai.

For Petitioner in
Crl.O.P.No.883 of 2020 : Mr.M.Vivekanandan

For Petitioner in
Crl.O.P.No.33831 of 2019 : Mr.A.E.Ravichandran

For Respondent in
both Crl.O.Ps. : Mr.M.Mohamed Riyaz for R1
Additional Public Prosecutor

COMMON ORDER

These Criminal Original Petitions have been filed to call
for the records and quash the charge sheet in CC.No.7740 of
2017, on the file of the XIII Metropolitan Magistrate, Egmore,
Chennai.

2. The respondent has filed a charge sheet stating that the petitioners herein have committed offence punishable under Section 381 of IPC and based on the same the learned Metropolitan Magistrate, has taken the case on file as C.C.No.7740 of 2017.

3. These cases are 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 joint compromise memo dated 20.01.2020 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent also present in person before this Court and they are identified by the first respondent. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and driving licence and the same are made part of the record. In the compromise memo, 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.7740 of 2017. 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 First Information Report pending. Even though, the offence involved is 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 Case in C.C.No.7740 of 2017 on the file of the learned XIII Metropolitan Magistrate, Egmore, Chennai, against the petitioners herein.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.7740 of 2017 on the file of the learned XIII Metropolitan Magistrate, Egmore, Chennai, is hereby quashed as against the petitioners and the terms of Compromise Memo shall form part and parcel of this order.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

drl

To

1.The Inspector of Police
V-5, Thirumangalam Police Station-Crime,
Thirumangalam,
Chennai - 600 101.

2.The Public Prosecutor,
High Court, Madras.

3.The XIII Metropolitan Magistrate, Egmore, Chennai.

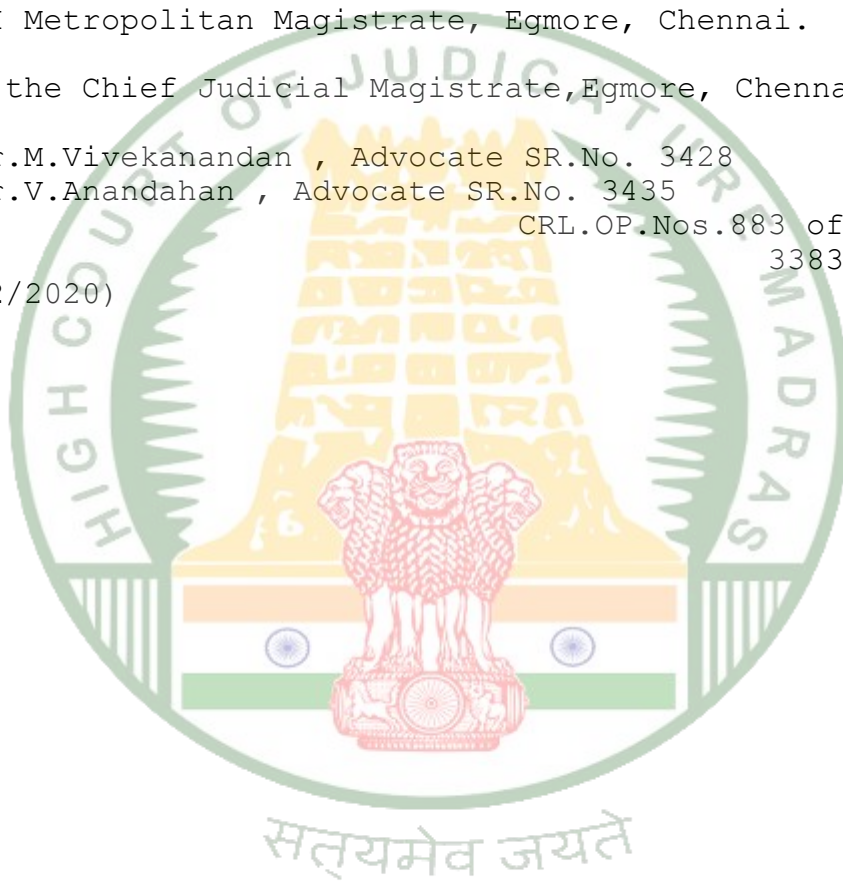
4.Do thro the Chief Judicial Magistrate, Egmore, Chennai.

+1cc to Mr.M.Vivekanandan , Advocate SR.No. 3428

+1cc to Mr.V.Anandahan , Advocate SR.No. 3435

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33831 of 2019

A.SK(17/02/2020)



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