

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13098 of 2020
and
Crl.M.P.No.5124 of 2020

Mr.J.Krishnakumar ...Petitioner/Accused

Vs.

1. The Station House Officer,
Mahalingapuram Police Station,
Coimbatore. ...Complainant/Respondent
2. Mr.Balakrishnan ...Respondents/Defendant/
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the proceedings in C.C.No.197/2020, dated 10.02.2020 on the file of the Judicial Magistrate - II, Pollachi.

For Petitioner : Mr.Sarath Chandran
for Mr.V.Raghavachari

For Respondents

For R1 : Mr.S.Karthikeyan
Additional Public Prosecutor

For R2 : M/s. Sachin Vijaya

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.197/2020, dated 10.02.2020 on the file of the Judicial Magistrate - II, Pollachi, for the alleged offences under Section 294(b), 353, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.9 of 2020.

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

3. An affidavit has been filed by the 2nd respondent before this Court which have been signed by the second respondent and also by his counsel. 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 in C.C.No.197/2020, dated 10.02.2020 on the file of the learned Judicial Magistrate-II, Pollachi, 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.197/2020, dated 10.02.2020 on the file of the learned Judicial Magistrate - II, Pollachi, in Crime No.9 of 2020.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.9 of 2020, on the file of the learned Judicial Magistrate - II, Pollachi, is quashed and the affidavit filed by the 2nd respondent shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.10,000/-, as costs, to the Chief Justice Relief Fund, High Court, Madras, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petition is closed.

*The Xerox Copy of Affidavit of Balakrishnan enclosed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate - II,
Pollachi.
2. The Chief Judicial Magistrate,
Coimbatore Dist. (For information)
3. The Station House Officer,
Mahalingapuram Police Station,
Coimbatore.

4. The Public Prosecutor,
High Court, Madras.

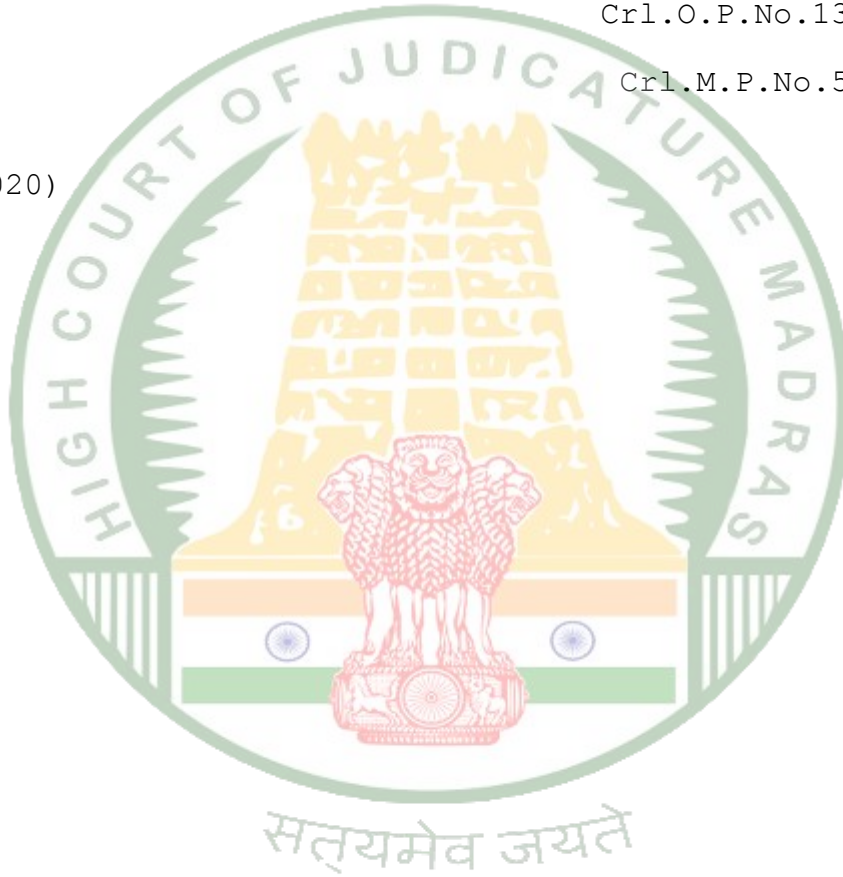
Copy to:

The Sub Assistant Registrar
Account Section,
High Court of Madras.
(The Chief Justice Relief fund)

+1 cc to Mr.V.Raghavachari, Advocate Sr.No. 29144

Crl.O.P.No.13098 of 2020
and
Crl.M.P.No.5124 of 2020

nr(co)
rv(24/9/2020)



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