

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.No.25871 of 2019
and
Crl.M.P.No.13770 of 2019

M.D.Thirunavukarasu

...Petitioner

Vs.

R.Ramaswamy Reddy

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for records pertaining to S.T.C. No.1824 of 2016 on the file of learned Judicial Magistrate, Fast Track Court No.II, Hosur, Krishnagiri District and quash the same.

For Petitioner : Mr.K.Seetha Ram

For Respondent : M/s.Sreenik.S.Jain

ORDER

This Criminal Original Petition has been filed to call for records pertaining to S.T.C. No.1824 of 2016 on the file of learned Judicial Magistrate, Fast Track Court No.II, Hosur, Krishnagiri District and quash the same.

2. The respondent has filed a complaint under Section 138 of Negotiable Instruments Act, 1881. Based on the same, the case was taken on file in S.T.C. No.1824 of 2016 on the file of the learned Judicial Magistrate, Fast Track Court No.II, Hosur.

3. The case is 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 07.01.2020 has been filed before this Court. The petitioner and the respondent also present in person before this Court. In order to identify the respective parties they have also produced the copies of the Identity Card and Aadhaar Card and the same are made part

of the record. In the compromise memo, it has been stated that the petitioners and the respondent had entered into a compromise and amicably settled their issues in S.T.C. No.1824 of 2016. 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 case pending against the petitioner. 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 is inclined to exercise its jurisdiction under Section 482 Cr.P.C. and quashes the Case in S.T.C. No.1824 of 2016 on the file of the learned Judicial Magistrate, Fast Track Court No.II, Hosur against the petitioner.

6. In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in S.T.C. No.1824 of 2016 on the file of the learned Judicial Magistrate, Fast Track Court No.II, Hosur is hereby quashed as against the petitioner and the terms of Compromise Memo shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

*Xerox copy of the Memo of Compromise enclosed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

drl

To

1. The Judicial Magistrate,
Fast Track Court No.II, Hosur,
Krishnagiri District.

+1cc to M/s.Sreenik S.Jain, Advocate SR.4946

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and

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CP(CO)

CB(03/03/2020)