

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.30376 of 2019

and

Crl.M.P.Nos.16452 & 16453 of 2019

1. Manikandan
2. P.Subramani
3. Dhannamal
4. Shanthi
5. Sumathi

...Petitioners

Vs.

1. State represented by
The Station House Officer,
District Crime Branch,
Anti Land Grabbing Special Cell,
Kancheepuram District.

2. K.Alagiriswami

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.134 of 2017 on the file of the Judicial Magistrate Court No.II, Chengalpattu, and quash the same as against the Petitioners.

For Petitioners :Mr. B.R.Sankaralingam

For Respondents :Mr. C.Raghavan,
Government Advocate (for R1)

Mr.P.Arivudai Nambi (for R2)

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ORDER

This Criminal Original Petition has been filed by the petitioners, to call for the records in C.C.No.134 of 2017 on the file of the Judicial Magistrate Court No.II, Chengalpattu, quash the same.

2. The first respondent has registered a case in Crime No.124 of 2011 against the petitioners under Sections 468 r/w

471, 420 and 447 of IPC and the same has been charge sheeted under Sections 465, 467, 468, 471 r/w.34 IPC and based on the same the learned Judicial Magistrate No.II, Chengalpattu has taken the case on file as C.C.No.134 of 2017.

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 20.02.2020, has been filed before this Court which have been signed by the petitioners and the 2nd respondent/ defacto complainant and also by the counsel for the petitioners. The petitioners and the 2nd respondent are present in person before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and they are made part of the record. 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. 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Case in C.C.No.134 of 2017 on the file of the learned Judicial Magistrate No.II, Chengalpattu against the petitioners herein.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.134 of 2017 on the file of the learned Judicial Magistrate No.II, Chengalpattu is hereby quashed as against the petitioners herein and the terms of Joint Compromise Memo shall form part and parcel of this order. Consequently, the connected Criminal Miscellaneous Petitions are closed.

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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