

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 21.01.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl. OP No.247 of 2021

1. Dr.P.L.Natarajan
2. P.Sigappi ..Petitioners /Accused 1 & 2
Vs.

1. State Rep.by
Inspector of Police,
W-28, All Women Police Station,
Ambattur.
Cr. No.4 of 2016

2. Salai Sundari ..Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records and quash the CC.No.362 of 2016 in Crime No.04 of 2016 pending on the file of the Judicial Magistrate, Ambattur.

For Petitioner : Ms.R.Radha Pandian
For Respondents : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor, for R1
Mr. Suriya Sankar, for R2

O R D E R

The Criminal Original Petition has been filed to call for the records of the C.C.No.362 of 2016 pending on the file of the learned Judicial Magistrate, Ambattur.

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 consent affidavit dated 14.12.2020 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present through Video conferencing and they were identified by Ms.Ramani, Inspector of Police, W-28, All Women Police Station, Ambattur. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.362 of 2016. 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 Gujrath), and after exercising due caution as advised by the Hon'ble Supreme Court in *The State of Madhya Pradesh v. Dhruv Gurjar and Another* reported in (2019) 2 MLJ Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.362 of 2016 pending on the file of the learned Judicial Magistrate, Ambattur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.362 of 2016, pending on the file of the learned Judicial Magistrate, Ambattur, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners shall pay a sum of Rs.2000/- (Rupees Two Thousand only) as costs, to the credit of the President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), 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.

(*) Copy of Joint Compromise Memo filed by Petitioners and Defacto Complainant herewith enclosed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Ambattur.
2. -Do-Thro' The Chief Judicial Magistrate, Chennai.
3. The Inspector of Police,
W-28, All Women Police Station, Ambattur.
4. The Public Prosecutor,
High Court of Madras, Chennai 600 104.

Copy to : 1. The President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai.
2. The Section Officer, Criminal Section, High Court of Madras, Chennai.

AKM/15.03.21/2P- 7C/

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