

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI. OP No.239 of 2019

and CrI MP Nos.131 & 134 of 2019

1. R.Vinothkumar

2. Vellaiyammal

3. Satheesh

4. S.Rajendran

5. R.Jeevajothi

6. Mani

7. Iyar

.... Petitioners

vs.

1. The State Rep.by
Inspector of Police,
All Women Police Station,
Sooramangalam, Salem
Cr. No11 of 2018

2. M.Pushpa

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records relating to CC.No.110 of 2018 on the file of learned Additional Mahila Court (Magisterial Level), Salem and to quash the same.

For Petitioners : Mr. C.Prabakaran

For Respondents : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor,
for R1

Mr. T.Karunakaran, for R2

O R D E R

The Criminal Original Petition has been filed to call for the records of the C.C.No.110 of 2018 pending on the file of the learned Additional Mahila Court (Magisterial Level), Salem.

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 08.01.2021 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.Valarmathi, Inspector of Police, All Women Police Station, Sooramangalam, Salem. 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.110 of 2018. 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.110 of 2018 pending on the file of the learned Additional Mahila Court, (Magisterial Level), Salem.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.110 of 2018, pending on the file of the learned Additional Mahila Court, (Magisterial Level), Salem, 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. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jv

To

1. The Inspector of Police,
All Women Police Station,
Sooramangalam, Salem
2. The Additional Mahila Court (Magisterial Level),
Salem.
3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.
- 4 The President,
Tamil Nadu Advocates Clerk Association,
Madras Highcourt, Chennai

Copy to

5. The Section Officer,
Criminal Section, Highcourt,
Madras.

+1cc to Mr.C. PRABAKARAN, Advocate, S.R.No.3681
+1cc to Mr.T. KARUNAKARAN, Advocate, S.R.No.3639

AJB (CO)
SM/26/02/2021

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Cr1. OP No.239 of 2019