

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.02.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P.No.550 of 2021
and Crl.MP.Nos.327 & 329 of 2021

1.D.Vanaja
2. A.D.Murugan
3. L.D.Thilak

...Petitioners

Versus

1.The State represented by its
Inspector of Police,
Central Crime Branch, Team-XV,
Vepery, Chennai-07.

2. Shanthi

...Respondents

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to call for the records in CC.no.3753 of 2020 pending on the file of the learned Special Court of CCB/CBCID Metropolitan Magistrate, Egmore, Chennai-8 and quash the same against all the petitioners/accused.

For Petitioner : Mr.D.Venkateswaran
For Respondents: Mr.C.Raghavan R1
Government Advocate (Crl. side)
: Mrs.S.Mohana R2

O R D E R

The Criminal Original Petition has been filed to call for the records and quash the proceedings pending trial in C.C.No.3753 of 2020 on the file of the learned Metropolitan Magistrate, Court of CCB/CBCID, Egmore, Chennai.

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 Affidavit dated 04.01.2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present before the Court at the time of hearing and they were identified by MS.R.G.Dayalan, Inspector of Police, Central Crime Branch-XV, Vepery, Chennai. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and it is made part of the record. 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.3753 of 2020 on the file of the learned Metropolitan Magistrate, Court of CCB/CBCID, Egmore, Chennai.. 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 First Information Report 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), 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.3753 of 2020 on the file of the learned Metropolitan Magistrate, Court of CCB/CBCID, Egmore, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.3753 of 2020 on the file of the learned Metropolitan Magistrate, Court of CCB/CBCID, Egmore, Chennai., is quashed and the terms of affidavit shall form part and parcel of this order. [The petitioners shall pay a sum of Rs.1,500/- (Rupees One Thousand five hundred only) each as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry)], 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 Petition is also closed.

***Here enclose xerox copy of
affidavit is enclosed herewith**

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

rli
To

1.Inspector of Police,
Central Crime Branch, Team-XV,
Vepery, Chennai-07.

2.The Metropolitan Magistrate,
Court of CCB/CBCID, Egmore, Chennai

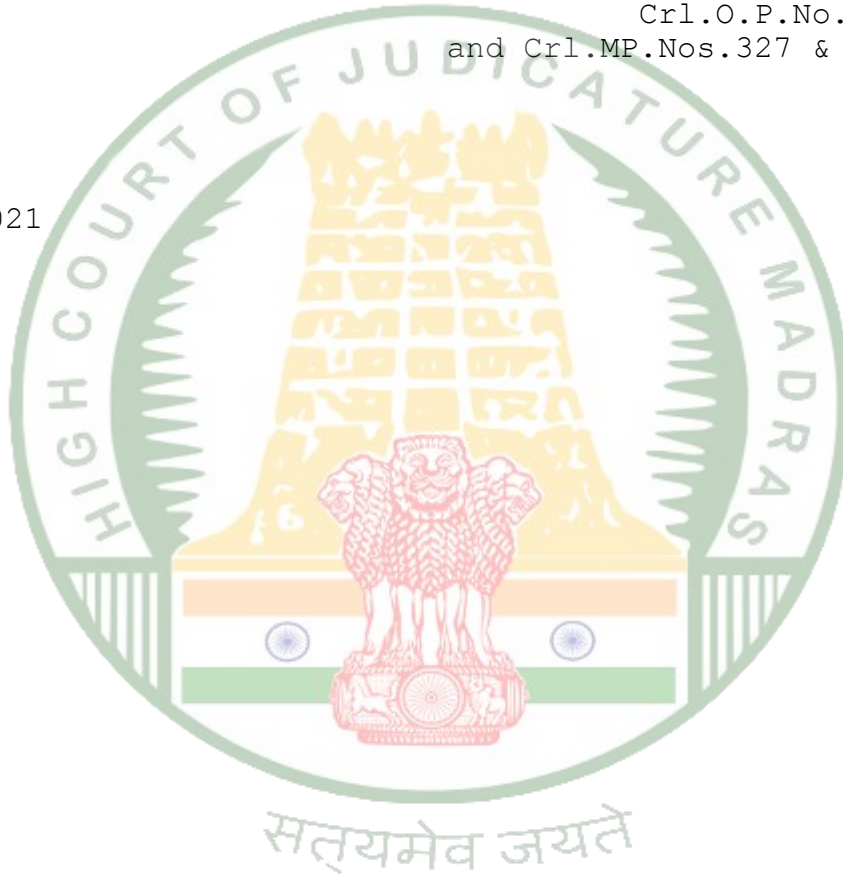
3. The Public Prosecutor,
High Court of Madras.

4.The Section Officer
Accounts Section
High Court Madras

+2 ccs to Mr.S.D.Venkateswaran Advocate sr8949

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