

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.2594 of 2021
and Crl.M.P.Nos.1412 & 1414 of 2021

Premalatha .. Petitioner/Accused

vs.

1. The State Represented by
The Inspector of Police,
Central Crime Branch III Team,
Egmore, Chennai - 8.
(Crime No.287 of 2007) ..Respondent/Complainant
2. R.Balagopal
3. G.Krishnan ..Respondents/Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records herein in C.C.No.1241 of 2018 pending on the file of the learned Special Judge for (CCB and CBCID trial cases) Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioner : Mr.A.Saravanan

For Respondents: Mr.C.Raghavan
Government Advocate for R1

ORDER

The Criminal Original Petition has been filed to call for the records and quash the proceedings pending trial in C.C.No.1241 of 2018 on the file of the learned Special Judge for (CCB and CBCID trial cases) Metropolitan Magistrate, 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. A Joint Memo of Compromise dated 08.01.2021 has been filed before this Court which have been signed by the petitioner

and the respondent and also by their respective counsel. The petitioner and the second and third respondent were also present and they were identified by Ms.Sujatha, Sub Inspector of Police, Central Crime Branch III Team, Egmore, Chennai - 8. 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.1241 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.1241 of 2018, pending on the file of the learned Special Judge for (CCB and CBCID trial cases) Metropolitan Magistrate, Egmore, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1241 of 2018, pending on the file of the learned Special Judge for (CCB and CBCID trial cases) Metropolitan Magistrate, Egmore, Chennai, is quashed and the terms of compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1500/- (Rupees One Thousand Five Hundred 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, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Special Judge for (CCB and CBCID trial cases)
Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police,
Central Crime Branch III Team,
Egmore, Chennai - 8.
3. The Public Prosecutor,
High Court, Madras.

Copy To:

The President,
Tamilnadu Advocates Clerk Association,
Madras High Court, Chennai.

CrI.O.P No.2594 of 2021
and CrI.M.P.Nos.1412 & 1414 of 2021

SKY (CO)
RMP (12/03/2021)