

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.2706 of 2021
and Crl.M.P.Nos.1482 & 1485 of 2021

1. Kanimozhi

2. Ramani

Petitioners/Accused 1 & 2

vs.

1. The State Represented by
The Inspector of Police,
Jolarpet Police Station,
Vellore District.
(Crime No.405 of 2019)

Respondent/Complainant

2. R.Manikandan

Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the Calender Case in C.C.No.140 of 2020 on the file of the learned Judicial Magistrate I, Thirupattur, quash the same and thus render justice.

For Petitioners : Mr.G.Magesh Kumar
For Respondents : Mr.C.Raghavan
Government Advocate for R1
Mr.Udhayakumar for
M/s.Karan & Uday for R2

सत्यमेव जयते

ORDER

The Criminal Original Petition has been filed to call for the records and quash the proceedings pending trial in C.C.No.140 of 2020 on the file of the learned Judicial Magistrate I, Thirupattur.

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 19.02.2021 has been filed before this Court which have been signed by the petitioners and the respondent and also by their respective counsel.

The petitioners and the second respondent were also present and they were identified by Mr.Karunakaran, Sub Inspector of Police, Jolarpet Police Station, Vellore District. 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.140 of 2020. 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 Suprme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ CrI 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.140 of 2020, pending on the file of the learned Judicial Magistrate I, Thirupattur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.140 of 2020, pending on the file of the learned Judicial Magistrate I, Thirupattur, is quashed and the terms of compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1000/- (Rupees One 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, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sr

To

1. The Judicial Magistrate I, Thirupattur.
2. The Chief Judicial Magistrate, Vellore.
3. The Inspector of Police,
Jolarpet Police Station,
Vellore District.
4. The Public Prosecutor,
High Court, Madras.

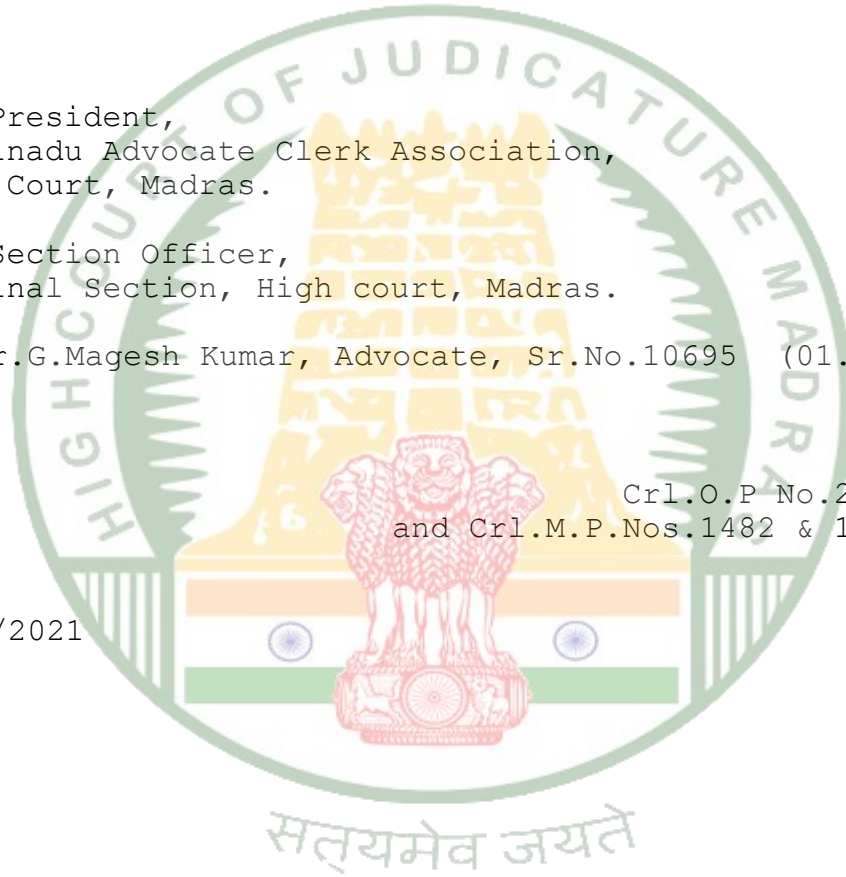
Copy to

1. The President,
Tamilnadu Advocate Clerk Association,
High Court, Madras.
2. The Section Officer,
Criminal Section, High court, Madras.

+1cc to Mr.G.Magesh Kumar, Advocate, Sr.No.10695 (01.03.2021)

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KKV/23/02/2021



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