

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
Crl.O.P.No.1835 of 2021

1. Raja
2. J.K.Vetrivendan ...Petitioners

Vs.

1. State rep. By
The Inspector of Police
W-22 All Women Police Station
Mylapore, Chennai - 600 004.
2. Akila ...Respondents

Criminal Original Petition filed under Section 482 read with 320 of Cr.P.C to call for the records in C.C.No.3176 of 2013 on the file of the Learned XVIII Metropolitan Magistrate, Saidapet, Chennai in Crime No.3 of 2013 on the file of 1st Respondent Police AW-22, All Women Police Station, Mylapore, Chennai and quash the same.

For Petitioner : Mr.M.Krishnamoorthy

For Respondents : Mr.M.Mohamed Riyaz for R1

Mr.S.Jim Raj Milton for R2

O R D E R

This Criminal Original Petition has been filed to call for the records in C.C.No.3176 of 2013 on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, in Crime No.3 of 2013 on the file of the 1st respondent Police.

2. The case is 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 petitioners and 2nd respondent/de-facto complainant have filed a common affidavit dated 09.01.2021, before this Court. The petitioners and the 2nd respondent/de-facto complainant, were present before this Court. They were identified by Ms.Ettiyammal, Head Constable, AW22, All Women Police Station, Mylapore, Chennai, who was also present. In the affidavit, it has been stated that the 2nd respondent/de-facto complainant and the petitioners, have entered into a compromise and amicably settled their issues in Crime No.3 of 2013. 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 proceedings pending. 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 charge sheet filed in C.C.No.3176 of 2013, on the file of XVIII Metropolitan Magistrate, Saidapet, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the entire proceedings in C.C.No.3176 of 2013, pending on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, is hereby quashed. The petitioners shall pay a sum of Rs.1500/- (Rupees One Thousand only) each, 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.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rm

To:

- 1.The XVIII Metropolitan Magistrate,
Saidapet, Chennai.
- 2.The Inspector of Police,
W-22, All Women Police Station,
Mylapore, Chennai 600 004.
- 3.The President,
Tamil Nadu Advocates Clerk Association, Madras High Court,
Chennai
- 4.The Public Prosecutor, High Court, Madras.

+1cc to Mr. S.Jim Raj Milton, Advocate SR.No. 8410

+2ccs to Mr.M.Krishnamoorthy , Advocate SR.No. 868,8974

Cr1.O.P.No.1835 of 2021

A.SK(10.03.2021)