

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2021

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.2167 and 2171 of 2021

1. Ramachandhiran
 2. Raja @ Rajaram
 3. Yoganandhan
- 2021

.. Petitioners in Crl.O.P.No.2167 of

1. Saravanan
2. Rajasekar
3. Karthik
4. Vela
5. Vivek
6. Sairam
7. Aravinth
8. Dhanasekar

..Petitioners in Crl.O.P.No.2171 of 2021

Vs.

State rep by;
Inspector of Police,
J-5, Sastri Nagar Police Station,
Adayar, Chennai.
(Crime Nos.1536 & 1537 of 2018) .. First Respondent in both
Crl.OPs.

Sedhuraman

.. Second Respondent in Crl.O.P.No.2167 of 2021

Rajaram .. Second Respondent in Crl.O.P.No.2171 of 2021
Prayer in Crl.O.P.Nos.2167 and 2171 of 2021 : Criminal Original
Petition filed under Section 482 of Cr.P.C. to call for the entire
records in C.C.Nos.2936 and 3083 of 2019 respectively pending trial on
the file of the learned Metropolitan Magistrate -IX at Saidapet,
Chennai and quash the proceedings against the petitioners.

For Petitioners
in Crl.O.P.No.2167 of 2021 : Mr.T.Dineshkumar
For the 1st Respondent in
both Crl.O.Ps. : Mr.C.Raghavan
Government Advocate

COMMON ORDER

This Criminal Original Petitions have been filed to
call for the records pertaining to the proceedings in CC Nos.3083 of
2019 and 2936 of 2019, pending on the file of Metropolitan Magistrate
-IX at Saidapet, Chennai and quash the same.

2. The case is still at the stage of investigation. By
passage of time, the parties have decided to bury their hatchet and
compromised the dispute amicably among themselves.

3. The Joint Memo of compromise dated 03.02.2021 has been filed by the petitioners and the 2nd respondent /de-facto complainant before this Court. The petitioners and the 2nd respondent were also present in person and they were identified by Mr.Kandasamy, Head constable, J-5, Sastri Nagar Police Station, Adayar, Chennai. In the Memo, it has been stated that the petitioners and the respondents have entered into a compromise and amicably settled their issues in CC Nos.3083 of 2019 and 2936 of 2019. 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 cases 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 Gujraht)**, 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482

Cr.P.C. quashes the cases in CC Nos.3083 of 2019 and 2936 of 2019, pending on the file of Metropolitan Magistrate -IX at Saidapet, Chennai.

5. This Criminal Original Petitions stand allowed and as a sequel, the proceedings in CC Nos.3083 of 2019 and 2936 of 2019, pending on the file of Metropolitan Magistrate -IX at Saidapet, Chennai, are hereby quashed and the terms of Memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1,500/- (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.

23.02.2021

Index :Yes/No
Internet:Yes/No
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To

1. The Inspector of Police,
J-5, Sastri Nagar Police Station,
Adayar, Chennai.

2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

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23.02.2021