



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.3302 of 2021

1. Sudhakar
2. Madheswari ...Petitioners/Accused 1 & 2

Vs.

1. State rep. by Inspector of Police,
Erode North Police Station,
Erode.
(Crime No.505 of 2020) 1st Respondent/Complainant

2. Muthusamy ...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in STC. No.2153 of 2020 on the file of the learned Judicial Magistrate No.1, Erode and quash the same.

For Petitioners : Mr.M.Vijaya Ragavan

For Respondents : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in STC. No.2153 of 2020 on the file of the learned Judicial Magistrate No.1, Erode.

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

3. The affidavit dated 30.01.2021 has been filed by the second respondent/defacto complainant before this Court. The petitioners and the second respondent were also present at the time of hearing before this Court through video conferencing and they were identified by Mr.Murugan, Inspector of Police, Erode North Police Station, Erode. 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 STC. No.2153 of 2020 on the file of



the learned Judicial Magistrate No.1, Erode. 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, 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 proceedings in STC. No.2153 of 2020 on the file of the learned Judicial Magistrate No.1, Erode.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in STC. No.2153 of 2020 on the file of the learned Judicial Magistrate No.1, Erode, is quashed and the terms of affidavit shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

ENCL: Xerox Copy of affidavit dated 30/01/2021
rli

To

1.The Judicial Magistrate No.1, Erode

2 The Inspector of Police,
Erode North Police Station,
Erode.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.M.Vijayaraghavan, Advocate, S.R.No. 15645

CRL.OP.No.3302 of 2021

GPL(CO)
GN(09/04/2021)