

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. OP No.2833 of 2021
and Crl. MP. Nos.1574 and 1576 of 2021

1. P.Madavan
 2. Krishnaveniammal
 3. Dr.R.Sundarrajan
-Petitioners/Accused 3 to 5

vs.

1. State Rep.by
Inspector of Police,
Central Crime Branch - Team II,
Vepery, Chennai.
 2. Ms.R.Shali @ Dharshini
Minor duly represented by her Father & Natural Guardian
Mr.S.Rajendiran
-Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.58 of 2020 pending on the file of the learned Judicial Magistrate No.I, Poonamallee and quash the same.

For Petitioner : Mr.V.S.Senthilkumar

For Respondents : Mr.C.Raghavan

Govt. Advocate (Crl. Side), for R1
Mr. V.Johnson Yuvaraj, for R2

सत्यमेव जयते
O R D E R

The Criminal Original Petition has been filed to call for the records of the C.C.No.58 of 2020 pending on the file of the learned Judicial Magistrate No.I, Poonamallee and quash the same by allowing this Criminal Original Petition.

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. The consent affidavit dated 09.02.2021 has been filed by the Father and Natural Guardian of the minor second respondent/de-facto complainant before this Court. The petitioners and the Father and Natural Guardian of the minor second respondent were also present at the time of hearing and they were identified by Ms.Mahalakshmi, Inspector of Police, Central Crime Branch - Team II, Vepery, Chennai. In the affidavit it has been stated that the petitioners and the Father and Natural Guardian of the minor second respondent have entered into a compromise and amicably settled their issues in C.C.No.58 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 Supreme 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.58 of 2020 pending on the file of the learned Judicial Magistrate No.I, Poonamallee.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.58 of 2020, pending on the file of the learned Judicial Magistrate No.I, Poonamallee, is quashed and the terms of affidavit shall form part and parcel of this order. The each petitioner 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, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jv

To

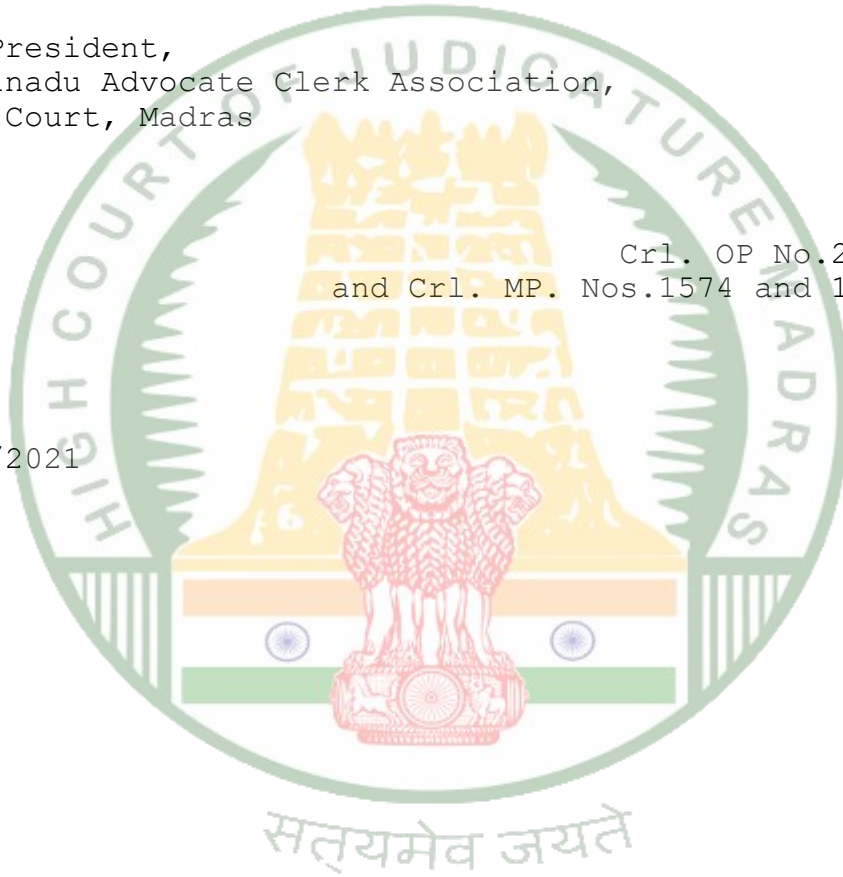
1. The Judicial Magistrate No.I,
Poonamallee
2. The Inspector of Police,
Central Crime Branch - Team II,
Vepery, Chennai.
3. The Public Prosecutor,
High Court, Madras.

Copy to

The President,
Tamilnadu Advocate Clerk Association,
High Court, Madras

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BS (CO)
KKV/08/03/2021



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