

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2021
CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.3540 of 2021

S.S.Ganesh Raja

...Petitioner/Accused

Vs.

1. The Sub Inspector of Police,
J-6 Thiruvannamiyur Police Station,
Chennai-41.

Crime No.2968 of 2017 ...Respondent/Complainant

2. Ruban ...2nd Respondent/defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the charge sheet in CC.No.9263 of 2018 on the file of the 18th Metropolitan Magistrate, Chennai and quash the same.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.M.Mohamed Riyaz R1
Addl. Public Prosecutor
Mr.B.Pratab R2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC.No.9263 of 2018 on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai.

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 Joint Compromise Memo dated 10.02.2021 has been filed before this Court. The petitioner and the second respondent were also present at the time of hearing before this Court through video conferencing and they were identified by Mr.Vijaya Kumar, Constable J-6, Thiruvannamiyur Police Station, Chennai.. 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 memo of Joint compromise it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.9263 of 2018 on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai. 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 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 CrI 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.9263 of 2018 on the file of the learned XVIII Metropolitan Magistrate, Saidapet. Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.9263 of 2018 on the file of the learned XVIII Metropolitan Magistrate, Saidapet. Chennai, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

* Xerox Copy of Joint Compromise Memo

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To

1. The Sub Inspector of Police,
J-6 Thiruvannamiyur Police Station,
Chennai-41.

2. The XVIII Metropolitan Magistrate, Chennai

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.K.M.Appaji, Advocate SR.No.16305

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PCH(CO)
GMY(08/04/2021)