

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.4357 of 2021

1. Vidhya
2. Suresh Babu @ Manohar

Petitioners

vs.

1. The Inspector of Police,
CMBT Police Station,
Chennai.
(Cr. No.750 of 2019)

2. M.Arumugam

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records relating to the impugned C.C.No.8302 of 2019 on the file of the learned V Metropolitan Magistrate, Egmore. Chennai and quash the same.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.C.Raghavan

Government Advocate for R1

ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC.No.8302 of 2019 on the file of the learned V

Metropolitan Magistrate, Egmore, 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 Affidavit dated 11.02.2021 has been filed by the second respondent/defacto complainant. The petitioners and the second respondent were also present at the time of hearing before this Court and they were identified by Mr.Sadaiyandi, Sub Inspector of Police, CMBT 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 affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.8302 of 2019 on the file of the learned V Metropolitan Magistrate, Egmore, 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 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 proceedings in Spl.S.C.No.66 of 2020 on the file of the Mahila Court at Salem District.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.8302 of 2019 on the file of the learned V Metropolitan Magistrate, Egmore. Chennai, is quashed and the terms of affidavits shall form part and parcel of this order.

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Index : Yes/No
 Internet : Yes/No
 Speaking Order/Non-Speaking Order
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N. ANAND VENKATESH, J.

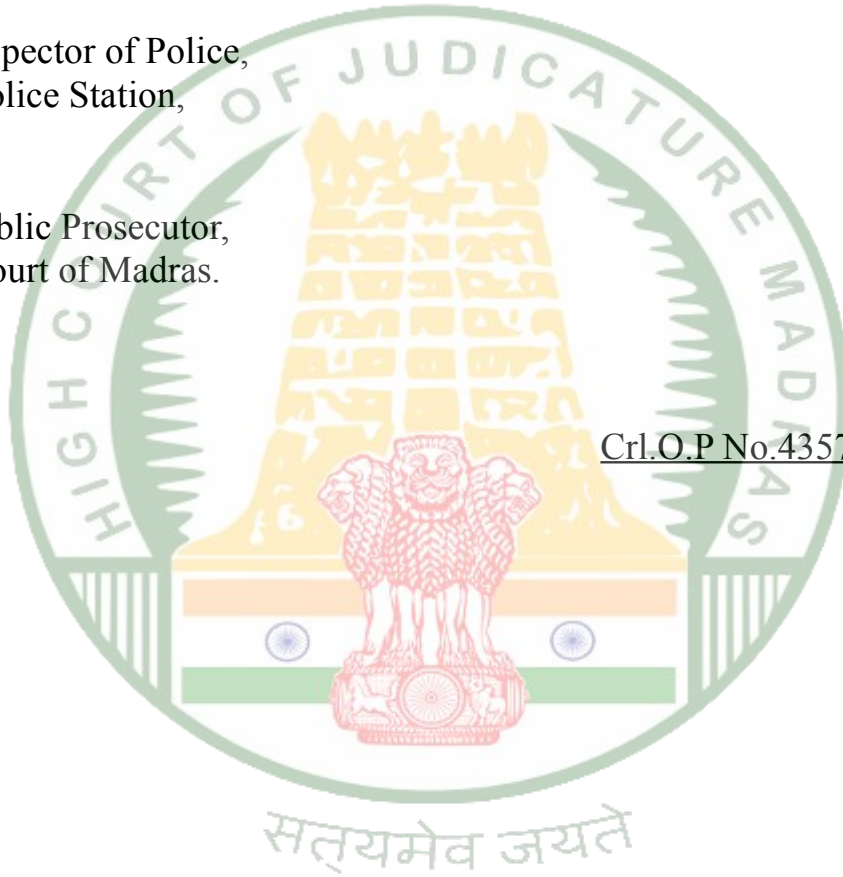
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To

1. The V Metropolitan Magistrate, Egmore. Chennai.

2. The Inspector of Police,
CMBT Police Station,
Chennai.

3. The Public Prosecutor,
High Court of Madras.



Crl.O.P No.4357 of 2021

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