

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. OP No.3626 of 2021

1. Samson

2. Mrs.Eveline

3. Miss Juliet Petitioners/Accused

vs.

1. The Sub-Inspector of Police,
W-29, All Women Police Station,
Avadi, Chennai 600 054. Respondent

2. Evanglin Emayavarman Respondent/ Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and to quash the charge sheet in C.C.No.157/2019, as the matter is amicably settled between the parties pending on the file of the Judicial Magistrate Court No.1, at Poonamallee.

For Petitioners: Mr. P.Prakash Paul

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to call for the records of the C.C.No.157 of 2019 pending on the file of the learned Judicial Magistrate Court No.1, at Poonamallee and quash the same.

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 Joint Compromise Memo dated 13.02.2021 has been filed by the petitioners and the second respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present at the time of hearing and they

were identified by Ms.Benniymmal, Head Constable, W-29, All Women Police Station, Avadi, Chennai 54. In the Joint Compromise Memo 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.157 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 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 Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.157 of 2019 pending on the file of the learned Judicial Magistrate Court No.1, at Poonamallee.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.157 of 2019, pending on the file of the learned Judicial Magistrate Court No.1, at Poonamallee, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Encl: Xerox copy of the Joint Compromise Memo .

jv

To

1. The Judicial Magistrate No.1,
Poonamallee.

2. The Sub-Inspector of Police,
W-29, All Women Police Station,
Avadi, Chennai 600 054.

3. The Public Prosecutor,
High Court of Madras, Chennai 600 104.

+2cc to M/s.P.Prakash Paul, Advocate, Sr.No. 12688

Cr1. OP No.3626 of 2021

AAB(CO)

RMP(20/04/2021)