

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.3727 OF 2021

S.Arivuselvi

...Petitioner/Accused

Versus

1.The State represented by its
Inspector of Police,
G3, Kilpauk Police Station,
Chennai.
Crime No.25 of 2020

...1st Respondent/Complainant

2.R.Anandaraj

...2nd Respondent/Defacto-Complainant

Prayer:-

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to call for the records in C.C.No.4730 of 2020, on the file of learned Judicial II Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioner : Mrs.Inthu Karunakaran

For Respondents : Mr.M.Mohamed Riyaz, R1
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to call for the records and quash the proceedings pending trial in C.C.No.4730 of 2020, on the file of learned Judicial Metropolitan Magistrate, Egmore, Chennai.

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. A Joint Memo of Compromise dated 25.02.2021 has been filed before this Court which have been signed by the petitioner and the 2nd respondent and also by their respective counsel. The petitioner and the second respondent were also present at the

time of hearing before this Court and they were identified by Mr.Krishnasamy, Sub-Inspector of Police, Kilpauk Police Station, Chennai. In the said memo, 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.4730 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 Gujraht), 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.4730 of 2020, pending on the file of the learned Judicial Metropolitan Magistrate, Egmore, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.4730 of 2020, on the file of learned Judicial Metropolitan Magistrate, Egmore, Chennai, is quashed and the terms of joint compromise memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty 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.

* Copy of Memorandum of Understanding,
dated 25.02.2021 enclosed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

rli

To

1. The II Metropolitan Magistrate,
Egmore, Chennai

2. The Inspector of Police,
G3, Kilpauk Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras.
4. The President,
Tamil Nadu Advocates Clerk Association,
Madras High Court, Chennai.

Copy To
The Section Officer,
Criminal Section, High Court,
Madras-104.

+1cc to Mrs.Inthu Karunakaran, Advocate, S.R.No.12477

Crl.O.P.No.3727 of 2021

AAB(CO)
CS/04/03/2021



WEB COPY