

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.3734 of 2021

1.K.H.Jayaprakash

2. K.H.Anbuvedachalam

3. H.Kuppulakshmi ...Petitioners/Accused 1-3

.Vs.

1. State rep. By The Inspector of Police,
S-12, Chilapakkam Police Station,
Chrompet,
Chennai-64. ...Respondents/Complainant

2. Amutha ...Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to C.C.No.179 of 2020, pending on the file of the learned Judicial Magistrate-I, Tambaram and quash the same.

For Petitioners : Mr.T.Ravi

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

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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.179 of 2020 on the file of the Judicial Magistrate-I, Tambaram.

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. An affidavit dated February 2021 has been filed by the second respondent/defacto complainant before this Court. The petitioners and the second respondent were also present at the time of hearing and they were identified by Mrs. Shanthi, Head Constable, Chilapakkam Police Station, Chrompet, Chennai-64. In the said 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.179 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 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 Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.179 of 2019, pending on the file of the learned Judicial Magistrate-I, Tambaram.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.179 of 2019, pending on the file of the learned Judicial Magistrate-I, Tambaram, is quashed and the terms of the affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred 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.

*Herein enclosed the Compromise Affidavit dated Feb 2021.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rli

To

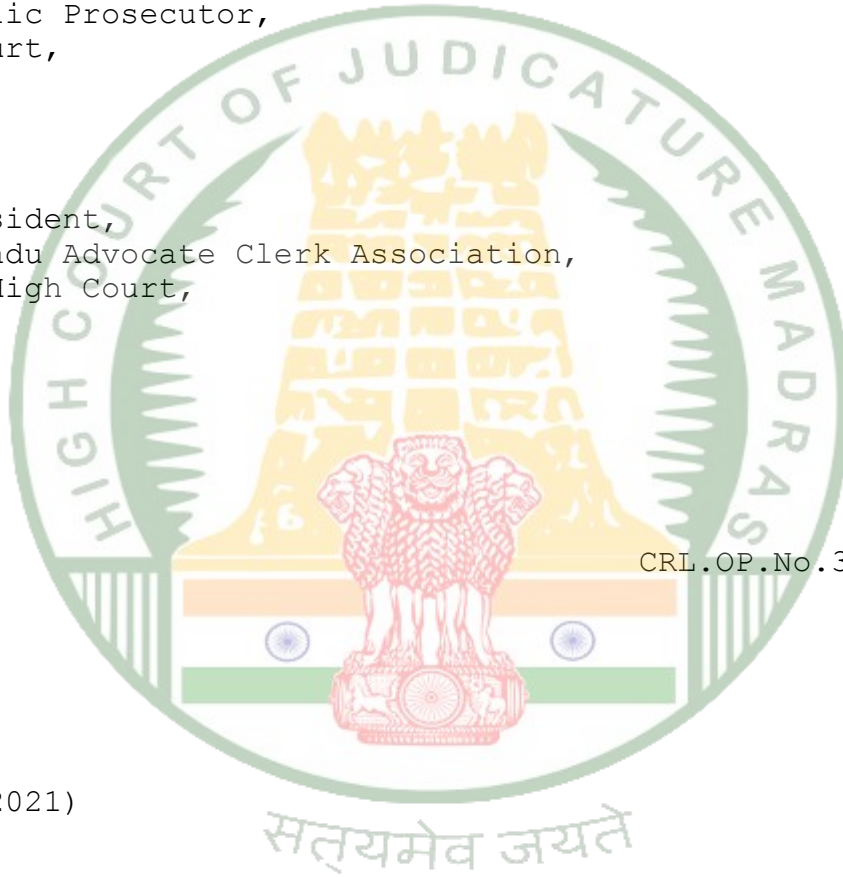
1.The Inspector of Police,
S-12, Chilapakkam Police Station,
Chrompet,
Chennai-64.

2.The Judicial Magistrate-I,
Tambaram.

3.The Public Prosecutor,
High Court,
Madras.

Copy To:

The President,
Tamil Nadu Advocate Clerk Association,
Madras High Court,
Chennai.



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GPL (CO)
RN (15/06/2021)

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