

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.3860 of 2021

Yaswanth

Petitioner

vs.

1. The State Rep. by
The Inspector of Police,
T-7, Tank Factory Police, Ambattur,
Chennai.

2. Kirubhanandham

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in CC.No.19 of 2021 pending on the file of the learned Judicial Magistrate Court at Ambattur and quash the same with regard to the petitioner.

For Petitioner : Mr.A.Aravindan

For Respondents: Mr.C.Raghavan
Government Advocate for R1

ORDER

The Criminal Original Petition has been filed to call for the records in CC.No.19 of 2021 pending on the file of the learned Judicial Magistrate Court at Ambattur and quash the same with regard to the petitioner.

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 affidavit dated 22.02.2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present and they were identified by Mr.Nagarajan, Inspector of Police, T-7, Tank

Factory Police, Ambattur, Chennai, who was also present at the time of hearing. 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 CC.No.19 of 2021. 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, 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 proceeding in CC.No.19 of 2021 pending on the file of the learned Judicial Magistrate Court at Ambattur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC.No.19 of 2021, pending on the file of the learned Judicial Magistrate Court at Ambattur, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners shall pay a sum of Rs.500/- (Rupees 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. Consequently, connected miscellaneous petitions are closed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ssr
To

1. The Judicial Magistrate Court
Ambattur.
2. The Inspector of Police,
T-7, Tank Factory Police, Ambattur,
Chennai.

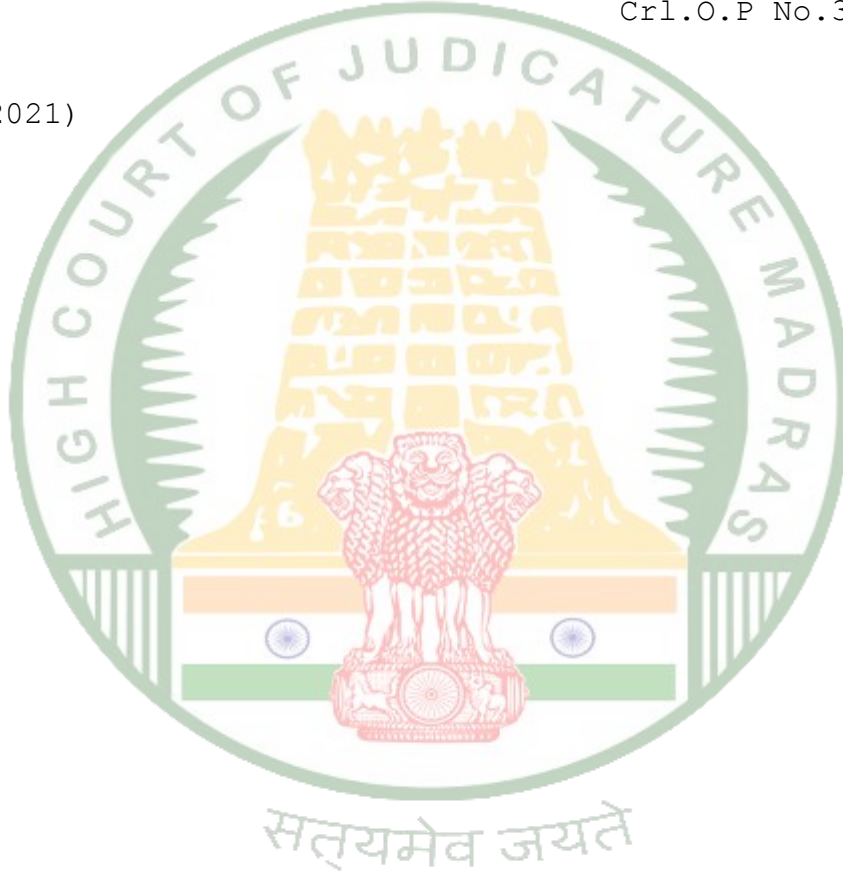
3. The Public Prosecutor,
High Court, Madras.

Copy to
The President
Tamil Nadu Advocates Clerk Association
Madras High Court

+1 Cc to M/s. Arul Selvam Associates sr 13337.

Cr1.O.P No.3860 of 2021

SMI (CO)
SP(18/03/2021)



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