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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P No.5313 of 2021

Sathishkumar

Petitioner

vs.

1. The State Rep. by
The Inspector of Police,
Nolambur Police Station,
Chennai.
(Crime No.491 of 2018)

2. Devi

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the entire proceedings in C.C.No.48 of 2019 on the file of the Judicial Magistrate, Ambattur, Chennai.

For Petitioner : Mr.B.Mohanraj

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

Mr.R.Sasikumar for R2

ORDER

The Criminal Original Petition has been filed to call for the records and quash the entire proceedings in C.C.No.48 of 2019 on the file of the Judicial Magistrate, Ambattur, 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.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.Thillairajan, Nolambur Police Station, 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.48 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, 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 proceeding in CC.No.48 of 2019 pending on the file of the learned Judicial Magistrate Court at Ambattur, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC.No.48 of 2019, pending on the file of the learned Judicial Magistrate Court at Ambattur, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,
Nolambur Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.
3. The Judicial Magistrate,
Ambattur, Chennai.

+2cc to Mr.B.Mohanraj, Advocate, S.R.No.20765

CrI.O.P No.5313 of 2021

SS(CO)
RGA(27/09/2021)