

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.03.2021
CORAM
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.4360 of 2021
and
Crl.MP.No.2800 of 2021

T.Saravanakumar

... Petitioner

.Vs.

1.State represented by
The Inspector of Police,
Velampalayam Police Station,
Tiruppur District.
(In Crime No.414 of 2019)

2.S.Balaji

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records connected with the impugned Charge Sheet in C.C.No.217 of 2020, on the file of the learned Judicial Magistrate No.III, Tiruppur and quash the same.

For Petitioner : Mr.V.Gayathri

For Respondents : Mr.C.Raghavan
Government Advocate
for R 1

Ms.Vanmathi
for R 2

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.217 of 2020, on the file of the Judicial Magistrate No.III, Tiruppur

2. The case is still in the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. Memorandum of Compromise Agreement dt.28.12.2020 and Joint Compromise Memo has been filed before this Court which has been signed by the petitioner and the 2nd respondent and also by their respective counsel. The petitioner and the 2nd respondent were also present in person before this Court and they were identified by Mr.Raj Kumar, Sub Inspector, Tiruppur. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and it is made part of the record. 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 in (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath) reported in 2017 9 SCC 641, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quash the proceedings in C.C.No.217 of 2020, on the file of the Judicial Magistrate No.III, Tiruppur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.217 of 2020, on the file of the Judicial Magistrate No.III, Tiruppur, is hereby quashed and the terms of Memorandum of Compromise Agreement and Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.10,000/- (Rupees Ten thousand 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, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

KP

Enclose: Xerox copy of Joint Compromise Memo.

To

1. The Inspector of Police,
Velampalayam Police Station,
Tiruppur District.
2. The Judicial Magistrate No.III, Tiruppur.
3. The Public Prosecutor, High Court, Madras.

Copy to: The President,
Tamil Nadu Advocate Clerks Association,
Madras High Court, Chennai.

CRL.O.P.No.4360 of 2021

GPL(CO)
CSR 31.03.2021