

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.03.2021
CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.4054 of 2021

S.Prabhu ...Petitioner/Accused
.Vs.

1.State rep.by
The Inspector of Police,
B4 High Court Police Station,
Chennai 600 104.
(Crime No.12 of 2019) ...1st Respondent/Complainant

2.S.Pavithra ...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.142 of 2021, on the file of the Court of Metropolitan Magistrate No.VII, George Town, Chennai and quash the Same.

For Petitioner : Mr.C.E.Pratap

For Respondent : Mr.C.Raghavan
Government Advocate
for R 1
Mr.R.Prabakar
for R 2

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.142 of 2021, on the file of the Court of Metropolitan Magistrate No.VII, George Town, Chennai.

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. A Joint Affidavit of Compromise, dated 15.02.2021, 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.Karthikeyan, Sub Inspector, Chennai - 104. 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 reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quash the proceedings in C.C.No.142 of 2021, on the file of the Court of Metropolitan Magistrate No.VII, George Town, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.142 of 2021, on the file of the Court of Metropolitan Magistrate No.VII, George Town, Chennai, is hereby quashed and the terms of Joint Affidavit of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.10,00/- (Rupees One 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.

(*) Copy of JOINT AFFIDAVIT OF COMPROMISE, herewith enclosed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Metropolitan Magistrate Court No.VII, George Town, Chennai.
- 2.The Inspector of Police, B4 High Court Police Station, Chennai 600 104.
- 3.The Public Prosecutor, High Court, Madras.

Copy to : The President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai.

+2cc to Mr.C.E.Pratap, Advocate SR.NO..15952

AKM/07.04.21/ 2P- 7C/

CRL.O.P.No.4054 of 2021
12.03.2021