

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.5353 of 2021

1.Radhakrishnan,
S/o.Murugan

2.Johnson
Son of Thomas ...Petitioners/Accused A2,A3

vs

1.State Rep. by
the Inspector of Police,
J-7, Velachery Police Station,
Chennai
(Crime No.741/2017)

2.Sarkarai, Son of Siva Sinkaran
... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.6563 of 2017 on the file of XVIII, M.M.Saidapet, Chennai and quash the same.

For Petitioners: Mr.V.Karnan

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R1

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.6563 of 2017 on the file of XVIII Metropolitan Magistrate, Saidapet, Chennai.

2. The case is still at the stage of trial. The parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The Affidavit dated 12.03.2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present through

Video conferencing. In the affidavit it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.6563 of 2017. 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), 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 proceedings in C.C.No.6563 of 2017, on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C. No.6563 of 2017, pending on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai, is quashed and the terms of affidavit 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 Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry)], 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].

Sd/-
Assistant Registrar(CS IX)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1. The XVIII Metropolitan Magistrate,
Saidapet,
Chennai-15.
2. -Do- Thro' The Chief Metropolitan Magistrate,
Egmore, Chennai-8.

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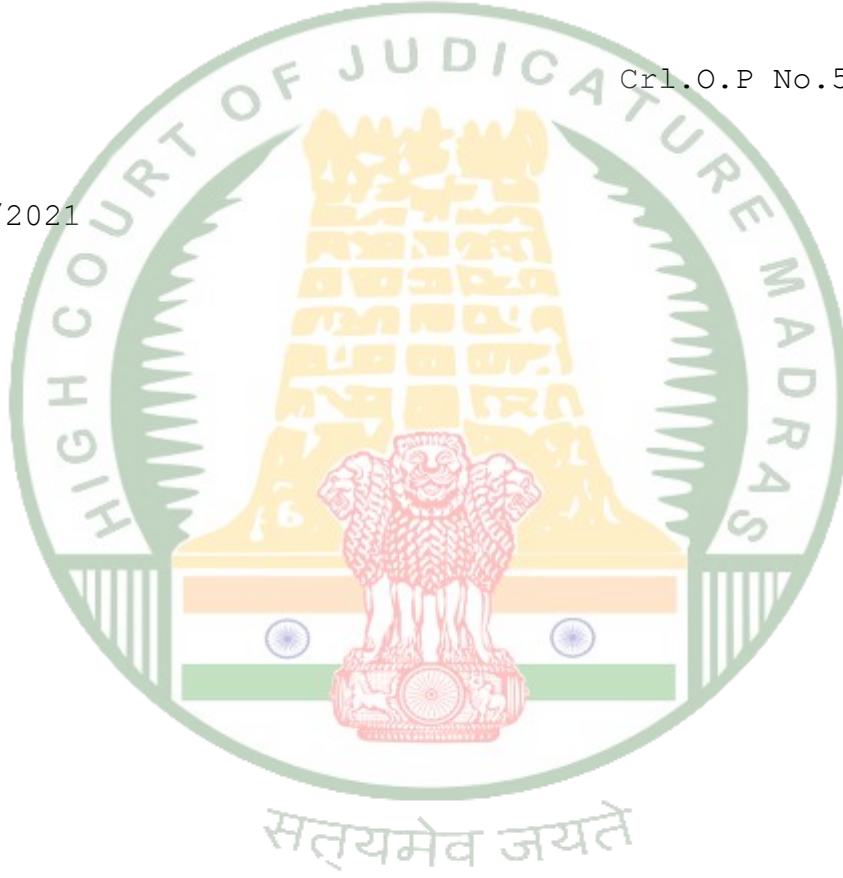
3. The Inspector of Police,
J-7, Velachery Police Station,
Chennai

4. The Public Prosecutor,
High Court, Madras.

5. The Section Officer,
Accounts Section,
High Court, Madras-104.

Cr1.O.P No.5353 of 2021

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srg 15/04/2021



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