

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P No.7580 of 2021

and

Crl.M.P.No.5039 of 2021

1.B.Vinoth
2.P.Balu
3.Selvakumari
4.Vivek

... Petitioners / A1 to A4

vs.

1.The Inspector of Police,
W-26 - All Women Police Station,
Ashok Nagar, Chennai. 1st Respondent / Complainant

2.Agathiya ... 2nd respondent / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the complaint in C.C.No.8006 of 2017, on the file of the XXIII Metropolitan Magistrate Court at Saidapet, Chennai.

For Petitioner : Mr.V.T.Narendiran

For R1 : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

For R2 : Mr.C.Thangamani

ORDER

(Through video conference)

This Criminal Original Petition has been filed to quash the complaint in C.C.No.8006 of 2017, on the file of the XXIII Metropolitan Magistrate Court at Saidapet, Chennai.

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

3.The Joint Compromise Memo dated 21.04.2021 has been filed by the petitioners / A1 to A4 and the 2nd respondent/defacto complainant before this Court. The petitioners / A1 to A4 and the 2nd respondent /defacto complainant were also present before this Court through video

conferencing at the time of hearing. In the above said Joint Compromise Memo, it has been stated that the petitioners / A1 to A4 and the 2nd respondent / defacto complainant have entered into a compromise and amicably settled their issues in C.C.No.8006 of 2017, on the file of the XXIII Metropolitan Magistrate Court at Saidapet, Chennai. 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 Gujarat), 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 complaint in C.C.No.8006 of 2017, on the file of the XXIII Metropolitan Magistrate Court at Saidapet, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.8006 of 2017, on the file of the XXIII Metropolitan Magistrate Court at Saidapet, Chennai., is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. [The petitioner shall pay a sum of Rs.1000/- (Rupees One Thousand only each) 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]. Consequently, the connected miscellaneous petition also stands closed.

*Xerox Copy of the Joint Memo Compromise enclosed

Sd/-

सत्यमेव जयते
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

ssi

To

1. The Inspector of Police,
W-26 - All Women Police Station,
Ashok Nagar, Chennai.
2. The XXIII Metropolitan Magistrate,
Saidapet, Chennai.

3. The Public Prosecutor,
High Court of Madras,
Madras.

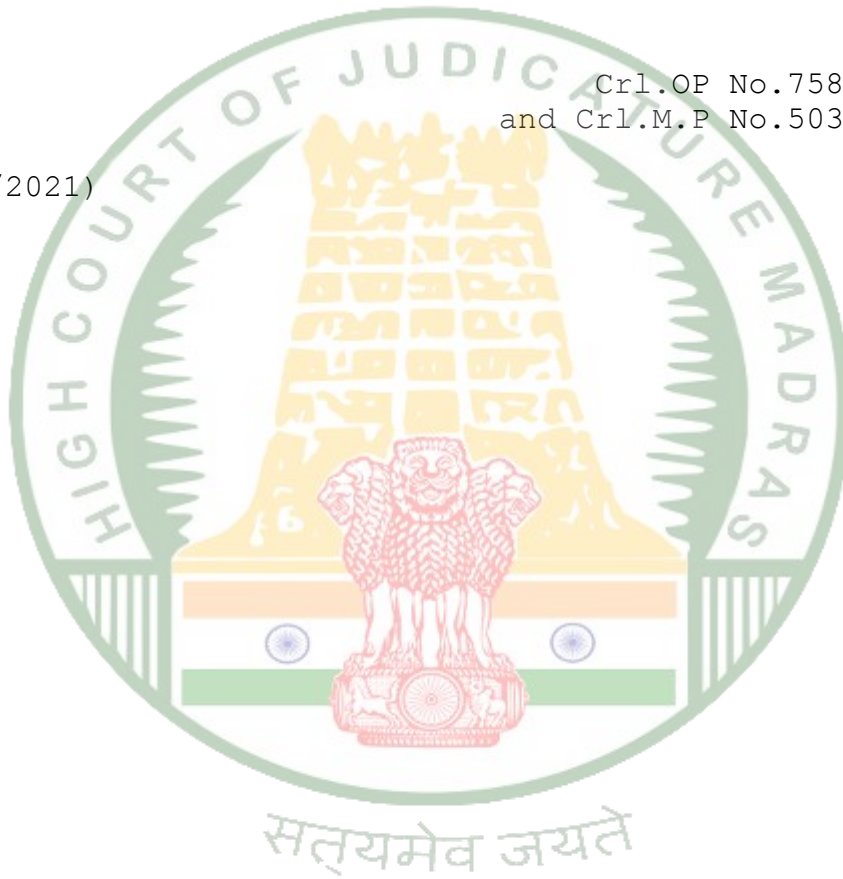
Copy To

The Section Officer,
Accounts Section,
High Court, Madras.

+2cc to Mr.V.T.Narendiran, Advocate SR.No.2667

CrI.OP No.7580 of 2021
and CrI.M.P No.5039 of 2021

RSI (CO)
GMY (29/06/2021)



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