

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P No.6826 of 2021

1.C.Guptharajan
2.Rukmaniammal
3.Arul
4.Ezhil
5.Sivakumar
6.Mohanasundaram
7.Kannan
8.Deivasigamani

...Petitioners/Accused 1 to 8

vs.

1.The Inspector of Police,
B5, Walajabad Police Station,
Kancheepuram. ...1st Respondent/Complainant

2.K.Maheswari ...Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in S.C.No.51 of 2014 on the file of the Mahila Court, Chengalpattu and quash the same in so far as the petitioners are concern.

For Petitioners: Mr.M.Mohammed Rafi
For R1 : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor
Mr.K. Maheswari

For R2 : Party in person

ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in S.C.No.51 of 2014 on the file of the Mahila Court, Chengalpattu and quash the same in so far as the petitioners are concern.

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

3.The copy of the agreement of compromise dated 03.02.2021 entered between the first petitioner and the second respondent has been filed before this Court along with the typed set of papers. The petitioners and the second respondent were also present through Video conferencing and they were identified by Mr.Thennarasu, Sub-Inspector of Police, B5 Walajabad Police Station, Kancheepuram. In the said agreement of compromise, it has been stated that the first petitioner and the second respondent have entered into a compromise and amicably settled their issues in S.C.No.51 of 2014. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The dispute between them is purely personal in nature, arose due to emotional break down. Now both the petitioners and the defacto complainant resolved the issue, decided to part ways proceed on their own, as per their wish, the compromise conditions complied with.

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 Suprme 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 case in S.C.No.51 of 2014, pending on the file of Mahila Court, Chengalpattu.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.51 of 2014, pending on the file of Mahila Court, Chengalpattu is quashed.

-s/d-

सत्यमेव जयते
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To

1.The Judge,
Mahila Court,
Chengalpattu.

2.The Inspector of Police,
B5, Walajabad Police Station,
Kancheepuram.

3.The Public Prosecutor,
High Court,
Madras.

+1 CC to Mr.M.Mohammed Rafi, Advocate sr 22883.

Cr1.O.P No.6826 of 2021

RSI (CO)
SP(15/06/2021)



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