

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.6371 of 2021

1.K.Saminathan
2.S.Suriya
3.A.Mohan
4.Yuvaraj
5.P.Karthick
6.Poonkodi @ Poovayi
7.Palanisamy
8.Sekar

Petitioners/Accused No.1 to 8

vs.

1. The State Rep. by
The Inspector of Police,
Kodumudi Police Station,
Erode District.
Crime No.307 of 2019

..1st Respondent/De-Jure-Complainant

2. Mani

..2nd Respondent/De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to Spl.S.C.No.11 of 2020 on the file of the learned Principal District Court, Erode and quash the same by allowing this Criminal Original Petition.

For Petitioners: Mr.M.Guruprasad

For Respondents: Mr.M.Mohammed Riyaz

Additional Public Prosecutor for R1

WEB COPY

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to Spl.S.C.No.11 of 2020 on the file of the learned Principal District Court, Erode and quash the same.

2. The case is still at 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 compromise affidavit has been filed before this Court which have been signed by the petitioners and the respondent and also by their respective counsel. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.11 of 2020. 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, 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 Gujrat), 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 proceeding in Spl.S.C.No.11 of 2020 pending on the file of the learned Principal District Court, Erode.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.11 of 2020, pending on the file of the learned Principal District Court, Erode, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners 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.

Sd/-

Assistant Registrar(CS-IX)

//True copy//

Sub Assistant Registrar

ssr

To

1. The learned Principal District Judge, Erode.

2. The Inspector of Police,
Kodumudi Police Station,
Erode District.

3. The Public Prosecutor,
High Court, Madras.

Copy To

The President,
Tamil Nadu Advocates Clerk Association,
Madras High Court, Chennai

+1cc to Mr.M.Guruprasad, Advocate SR.No.21575

Cr1.O.P No.6371 of 2021

SSN(CO)
GMY(28/06/2021)



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