

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. OP No.19587 of 2020

Jacob Samuel ... Petitioner /Accused

vs.

1. State Rep.by
Inspector of Police,
M-2, Madhavaram Milk Colony,
Police Station, Chennai 51. 1st Respondent/Complainant

2. T.Murugan
... 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 charge sheet in CC.No.66 of 2019 on the file of the District Munsif Cum Judicial Magistrate, Madhavaram.

For Petitioner : Mr.D.Saikumaran

For Respondents: Mr.C.Raghavan
Govt. Advocate (Crl. Side), for R1
Mr. J.Nagarajan, for R2

सत्यमेव जयते
O R D E R

The Criminal Original Petition has been filed to call for the records of the C.C.No.66 of 2019 pending on the file of the learned District Munsif Cum Judicial Magistrate, Madhavaram and quash the same by allowing this Criminal Original Petition.

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. The Joint Compromise Memo dated 14.02.2021 has been filed by the petitioner and the second respondent/de-facto complainant before this Court. The petitioner and the second

respondent were also present at the time of hearing and they were identified by Mr.Sasikumar, Head Constable, M-2, Madhavaram Milk Colony, Police Station, Chennai 51. In the Joint Compromise Memo 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.66 of 2019. 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 case in C.C.No.66 of 2019 pending on the file of the learned District Munsif Cum Judicial Magistrate, Madhavaram.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.66 of 2019, pending on the file of the learned District Munsif Cum Judicial Magistrate, Madhavaram, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1500/- (Rupees One Thousand Five Hundred 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.

*The Xerox Copy of Joint Compromise
Memo dated 14/02/2021 enclosed

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

jv
To

1. The District Munsif Cum Judicial Magistrate,
Madhavaram.

2. The Inspector of Police,
M-2, Madhavaram Milk Colony,
Police Station, Chennai 51.

3.The President,
Tamil Nadu Advocates Clerk Association,
Madras High Court, Chennai-104.

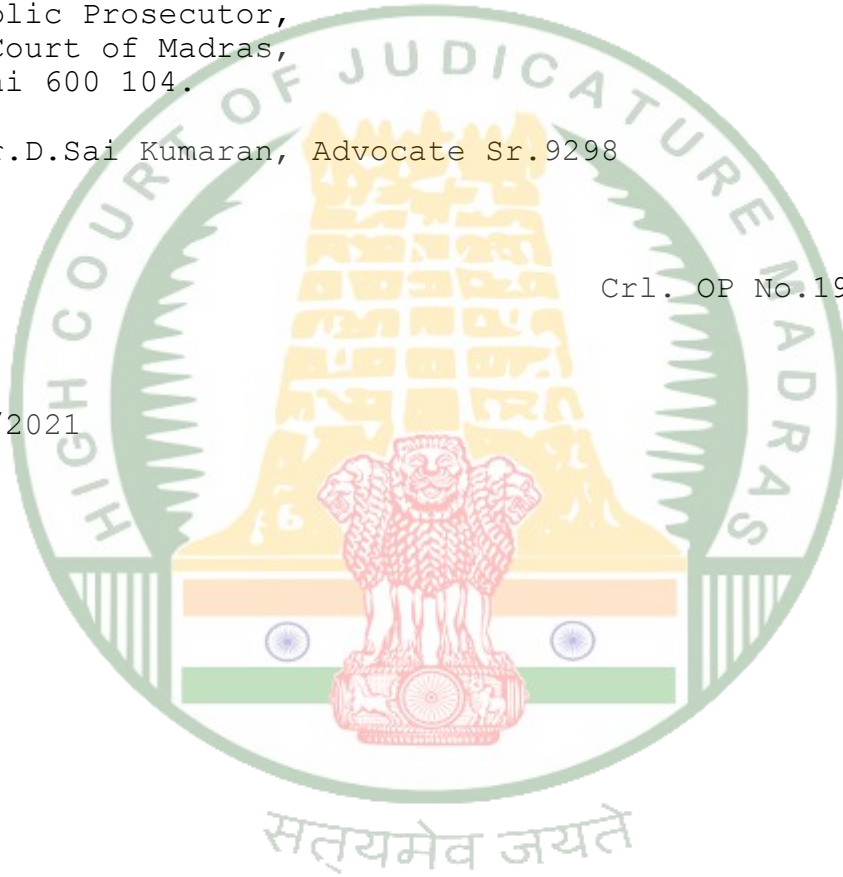
4.The Section Officer,
Criminal Section, High Court,
Chennai-104.

5. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to Mr.D.Sai Kumaran, Advocate Sr.9298

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pvs[col]
srg 09/03/2021



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