

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P No.6708 of 2021

and

Crl.M.P No.4466 of 2021

Murali ... Petitioner / Accused

vs.

State represented by
Inspector of Police,
T-3, Tank Factory Police Station,
Avadi, Chennai - 600 054.
(Crime No.457 of 2014) ...Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.305 of 2014, on the file of the Judicial Magistrate, Ambattur and quash the same.

For Petitioner : Mr.K.Selvarangan

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

ORDER

(Through video conference)

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.305 of 2014, on the file of the Judicial Magistrate, Ambattur.

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 affidavit dated 24.04.2021 filed by the parties viz., P.Raji, who is the father of the 2nd deceased, R.Manjula, who is the mother of the 1st deceased and the injured R.Shanmugam stating that the entire issue between the petitioner and the deceased 1 & 2 and the injured Shanmugam in the quash petition

has been amicably settled between them and they are not interested in pursuing on their complaint. The parties are present before this Court through Video conferencing. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. Now both the parties have resolved the issue, decided to post 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 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.305 of 2014, on the file of the Judicial Magistrate, Ambattur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.305 of 2014, on the file of the Judicial Magistrate, Ambattur is quashed and the terms of affidavit filed by the parties viz., P.Raji, who is the father of the 2nd deceased, R.Manjula, who is the mother of the 1st deceased and the injured R.Shanmugam 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.

*The Xerox Copy of the affidavit of
Raji, Manjula, Shanmugam enclosed

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
T-3, Tank Factory Police Station,
Avadi, Chennai - 600 54.
2. The Public Prosecutor,
High Court of Madras,
Madras.
3. The Judicial Magistrate,
Ambattur.
4. The Section Officer,
Accounts Section,
High Court, Madras-104.

+1cc to Mr.K.Selvarangam, Advocate Sr.26143

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srg 08/07/2021



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