



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.7739 of 2021

1.Mohammed Yunus

2.Syed Abudahi

3.Nihmadummal

4.Insha

5.Salzabeel

6.Allamin

7.Bagalur Islam

... Petitioners/1 to 7 Accused

.Vs.

1.The State

rep.by Inspector of Police,
Tiruchengode Police Station,
Tiruchengode,
Namakkal District.

..1st Respondent/Complainant

2.Yusmin

..2nd Respondent/
de facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.41 of 2015, pending on the file of the learned Judicial Magistrate, Tiruchengode and quash the same.

For Petitioner : Mr.P.Senthil

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R 1

Mr.Sivasubramaniam
for R 2
(MS 1268 of 2008)
(9842205337)



ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C. No.41 of 2015, pending on the file of the Judicial Magistrate Court, Tiruchengode.

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. Joint Compromise Memo dated 20.03.2021, has been filed before this Court which have been signed by the petitioners and the 2nd respondent/de facto complainant and also by their respective counsel. The petitioners and the 2nd respondent/de facto complainant were also present at the time of hearing through Video Conferencing. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and it is made part of the record. 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 in (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath) reported in (2017) 9 SCC 641 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., quash the proceedings in C.C.No.41 of 2015, on the file of the Judicial Magistrate, Tiruchengode.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.41 of 2015, on the file of the Judicial Magistrate Court, Tiruchengode, is hereby quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

*Xerox copy of the Joint Memo of Compromise enclosed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP



To

1. Inspector of Police,
Tiruchengode Police Station,
Tiruchengode,
Namakkal District.
2. Judicial Magistrate Court,
Tiruchengode.
3. -do-Through The Chief Judicial Magistrate,
Tiruchengode.
4. The Public Prosecutor
High Court, Madras.

CRL.O.P.No.7739 of 2021

UM(CO)
CB(15/07/2021)