

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.02.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P No.1933 of 2018

N.V.P.Ashok
S/o.Paneerselvam .. Petitioner/Accused No.1
Vs.

1. State represented by
Inspector of Police,
Vedaranyam Police Station,
Vedaranyam Town & Taluk,
Nagapattinam District.
2. N.V.Kamaraj, S/o.N.Vedarathinam ... Respondents

(R2 is impleaded as per the order of this
Court dated 07.03.2018 made in
Crl.M.P.No.3558 of 2018)

PRAYER: Criminal Original Petition filed under Section 482
of the Code of Criminal Procedure, to call for records
relating to the proceedings in S.C.No.323 of 2008 pending on
the file of the District and sessions Court, Nagapattinam
and quash the same.

For Petitioner : M/s.V.Kasinatha Bharathi

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor for R1

ORDER

The Criminal Original Petition has been filed to call
for the records pertaining to the proceedings in S.C.No.323
of 2008, pending on the file of District and sessions Court,
Nagapattinam and quash the same.

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

3. The sworn affidavit dated 08.12.2017 has been filed
by the 2nd respondent/de-facto complainant before this Court.
The petitioner and the second respondent were also present
through Video conferencing and they were identified by
Mr.Jayashankar, Special Sub Inspector of Police, Vedaranyam
Police Station, Nagapattinam District. In the Memo, it has
been stated that the petitioner and the second respondent
have entered into a compromise and amicably settled their

issues in S.C.No.323 of 2008. 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 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 case in S.C.No.323 of 2009, pending on the file of the District and Sessions Court, Nagapattinam.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.323 of 2008, pending on the file of the District and Sessions Court, Nagapattinam, is quashed as against the all accused persons and the terms of Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2,500/- (Rupees Two 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.

Sd/-

Assistant Registrar (IX)

/TRUE COPY/

सत्यमेव जयते
Sub-Assistant Registrar

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To

1. The District and Sessions Court,
Nagapattinam
2. The Inspector of Police,
Vedaranyam Police Station,
Vedaranyam Town & Taluk,
Nagapattinam District.
3. The Public Prosecutor,
Puducherry.

Copy to:

- 1.The President
TamilNadu Advocate Clerk Association
Madras High Court.
- 2.The Section Officer
Criminal Section
High Court,Madras-104.

+1CC to Mr.V.Kasinatha Bharathi Advocate, SR.NO.11746.

AAB (CO)
NRA(17/03/2021)

Cr1.O.P No.1933 of 2018

सत्यमेव जयते

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