

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19260 of 2020
and Crl.MP No.7735 of 2020

1. Poongavanam
2. Kamalakannan
3. Selvam
4. Jayaprakash
5. Parthiban

Petitioners

vs.

1. The Inspector of Police,
R8, Vadapalani Police Station,
Chennai 600 026.
/Complainant

..Respondent

2. Murugesan

...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 C.C.No.1261 of 2020 pending trial on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai, acquit the petitioners.

For Petitioner : Mr.T.Arul

For Respondents : Mr.M.Mohammed Riyaz
Additional Public Prosecutor
for R1

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in C.C.No.1261 of 2020, pending on the file of XVII Metropolitan Magistrate, Saidapet, Chennai 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 joint memo of compromise dated 20.11.2020 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present through Video conferencing and they were identified by Mr.Boopalan, Sub Inspector of Police, R8, Vadapalani Police Station, Chennai 600 026. In the Memo, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.1261 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 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.1261 of 2020, pending on the file of XVII Metropolitan Magistrate, Saidapet, Chennai .

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1261 of 2020, pending on the file of XVII Metropolitan Magistrate, Saidapet, Chennai, is quashed and the terms of Memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1000/- (Rupees

One 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. Consequently, the connected
 miscellaneous petition is closed.

29.01.2021

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order
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To

1. XVII Metropolitan Magistrate, Saidapet, Chennai

2. The Inspector of Police,
 R8, Vadapalani Police Station,
 Chennai 600 026.

3. The Public Prosecutor,
 High Court, Madras.

N. ANAND VENKATESH, J.
rka



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