

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.OP.No.19173 of 2020

and

Crl.MP Nos.7697 & 7699 of 2020

1.Ilangovan

2.Balasaraswathy

...Petitioners

.Vs.

1.State rep by
Inspector of Police,
Mettupalayam Police Station,
Puducherry.

[Crime No.66 of 2017]

2.P.Sundari

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to P.R.C. No.38 of 2020 before the learned Judicial Magistrate No.IV, Puducherry.

For Petitioners : Mr.A.Gopinath

For Respondents : Mr.Bharathachakravarthy

Public Prosecutor (Pondicherry)

for R 1

Mr.L.Baskaran

for R 2

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in P.R.C.No.38 of 2020, on the file of the learned Judicial Magistrate No.IV, Puducherry.

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

3. A Joint Memo of Compromise, dated 19.01.2021, has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective counsel. The petitioners and the 2nd respondent were also present in person before this Court. 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 reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quash the proceedings in P.R.C.No.38 of 2020, on the file of the learned Judicial Magistrate No.IV, Puducherry.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.38 of 2020, on the file of the learned Judicial Magistrate No.IV, Puducherry, is hereby quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.10,000/- (Rupees ten 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, connected miscellaneous petitions are closed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

KP
To

1. Inspector of Police,
Mettupalayam Police Station,
Puducherry.

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2.Judicial Magistrate No.IV,
Puducherry.

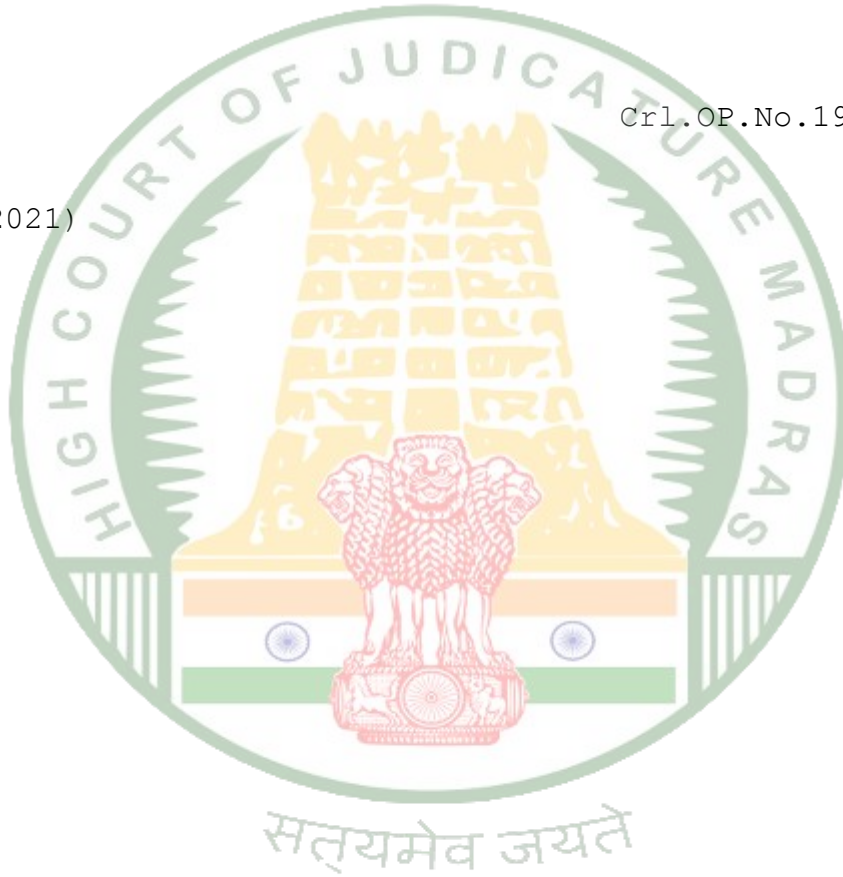
3.The Public Prosecutor,
Puducherry.

4.The President
Tamil Nadu Advocate and Clerk Association
High Court, Madras 104.

+4 Ccs to Mr.A.Gopinath, Advocate sr 8665.

Crl.OP.No.19173 of 2020

SMI (CO)
SP(01/03/2021)



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