

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19806 of 2020

1. Elsi Jekkap

2. Richu Jekkap

Petitioners

vs.

1. The Inspector of Police,
S-15, Selaiyur Police Station,
Chengalpet District.
(Crime No.1060 of 2020)

2. Selvi

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the C.C.No.283 of 2020 pending on the file of the learned Judicial Magistrate No.1 Court, at Tambaram in Crime No.1060 of 2020 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.G.Mohana Krishnan

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

ORDER

The Criminal Original Petition has been filed to call for the records of the

C.C.No.283 of 2020 pending on the file of the learned Judicial Magistrate No.1

Court, at Tambaram in Crime No.1060 of 2020 on the file of the 1st respondent police and quash the same.

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. The consent affidavit dated 08.12.2020 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.Marisamy, Sub Inspector of Police, S-15, Selaiyur Police Station, Chengalpet. In the affidavit 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.283 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 CrI 10*, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.283 of 2020 pending on the file of the learned Judicial Magistrate No.1 Court, at Tambaram.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.283 of 2020, pending on the file of the learned Judicial Magistrate No.1 Court, at Tambaram, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2000/- (Rupees Two 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.

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08.01.2021

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
SSR

Note: Issue Order Copy on 11.01.2021

N. ANAND VENKATESH, J.

SSR

To

1. The Judicial Magistrate No.1 Court, Tambaram.
2. The Inspector of Police,
S-15, Selaiyur Police Station,
Chengalpet District.
3. The Public Prosecutor,
High Court, Madras.



Crl.O.P No.19806 of 2020

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