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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19937 of 2021

1.Velu
2.Raja
3.Karthi

..Petitioners

Versus

1.State Represented by,
Inspector of Police,
Arakkonam Taluk Police Station,
Vellore District.
(Crime No.586/2016).

2.Jeeva

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertains to the C.C.No.66 of 2021, (pending on the file of the Judicial Magistrate No.II, Arakkonam) quash the same.

For Petitioners :Mr.J.Lokesh

For R1 :Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.66 of 2021, pending on the file of the Judicial Magistrate Court No.II, Arakkonam.

2.The case of the prosecution is that on 22.12.2016, at about 08.00 p.m., when the 2nd respondent was going to home after work, the petitioners waylaid the 2nd respondent and asked that why he has come here and then, all the petitioners abused him with filthy language and attacked with an iron rod. Due to which, the 2nd respondent sustained injury and admitted in the Government Hosptal, Arakkonam, where he lodged a complaint before the 1st respondent Police and the same was registered in Crime No.586 of 2016, for offence under Sections 294(b), 324 and 506(ii) of IPC.



3.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.

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4.The 2nd respondent has filed an affidavit that he will not proceed with the case further. The petitioners and the 2nd respondent are present through Video conferencing. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5.Under such circumstances, no useful purpose will be served in keeping the proceedings 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 Cr1 10), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings in C.C.No.66 of 2021, on the file of the Judicial Magistrate Court No.II, Arakkonam.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.66 of 2021, on the file of the Judicial Magistrate Court No.II, Arakkonam, is quashed against the petitioners.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

vv2

To

1.The Judicial Magistrate Court No.II,
Arakkonam.

2.Do Thro The Chief Judicial Magistrate
Vellore.

3.The Inspector of Police,
Arakkonam Taluk Police Station,
Vellore District.



4.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.J.Lokesh Advocate sr 56788.

+3 Ccs to Mr.J.Lokesh Advocate sr 56788. (02/12/2021)

CRL.O.P.No.19937 of 2021

KG (CO)
SP (29/11/2021)