

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. OP No. 20565 of 2020
and Crl MP Nos.8636 & 8637 of 2020

1. Logesh

2. Kavitha

3. Ajithkumar

... Petitioners

vs.

1. State Rep. by
The Inspector of Police,
Nallipalayam Police Station,
Namakkal.
(Crime No.24/2020)



2. Veerappan

... Respondents

सत्यमेव जयते

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the proceedings in C.C.No.287 of 2020 on the file of the learned Judicial Magistrate No.1, Namakkal.

For Petitioners : Mr.S.Sheik Ismail

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

Mr.P.N.Vignesh, for R2

ORDER

The Criminal Original Petition has been filed to call for the records of the proceedings in C.C.No.287 of 2020 pending on the file of the learned Judicial Magistrate No.1, Namakkal.

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 Joint Compromise affidavit dated 22.01.2020 has been filed by the second respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present through Video conferencing and they were identified by Ms.Radha, Sub Inspector of Police, Nallipalayam Police Station, Namakkal. 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.287 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.287 of 2020 pending on the file of the learned Judicial Magistrate No.1, Namakkal.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.287 of 2020, pending on the file of the learned

Judicial Magistrate No.1, Namakkal, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1500/- (Rupees One 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. Consequently, the connected miscellaneous petitions are closed.

01.02.2021

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

To

1. The Inspector of Police,
Nallipalayam Police Station,
Namakkal.

2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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N.ANAND VENKATESH, J.

jv



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