

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.02.2021
CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. OP No.33638 of 2019

1. D.Stanely
2. Mrs.Clara
3. G.Rajkumar ... Petitioners /Accused

vs.

1. State Rep.by
Inspector of Police,
Central Crime Branch-17 Team,
Land Grabbing Cell,
Chennai 600 091. ... 1st Respondent/Complainant

2. Miller ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the record in C.C.No.911 of 2012 on the file of the Special Metropolitan Magistrate, (Land Grabbing) -1 at Chennai and quash the same.

For Petitioner : Mr.M.Anandaraj
For Respondents : Mr.C.Raghavan
Govt.Advocate(Crl. Side), for R1
Mr. M.Shankar, for R2

O R D E R

The Criminal Original Petition has been filed to call for the records of the C.C.No.911 of 2012 pending on the file of the learned Special Metropolitan Magistrate, (Land Grabbing) -1 at Chennai and quash the same by allowing this Criminal Original Petition.

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 Memo dated 03.02.2021 has been filed by the petitioner and the second respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present at the time of hearing and they were identified by Mr.Murugan, Special Sub Inspector of Police, Central Crime Branch-17 Team, Land Grabbing Cell, Chennai 600 091. In the Joint Compromise Memo it has been stated that the petitioner and the second respondent have entered into a

compromise and amicably settled their issues in C.C.No.911 of 2012. 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 Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.911 of 2012 pending on the file of the learned Special Metropolitan Magistrate , (Land Grabbing) -1 at Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.911 of 2012, pending on the file of the learned Special Metropolitan Magistrate, (Land Grabbing) -1 at Chennai, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2500/- (Rupees Two 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.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Special Metropolitan Magistrate,
(Land Grabbing) -1, Chennai .
2. The Inspector of Police, Central Crime Branch-17 Team,
Land Grabbing Cell, Chennai 600 091.
3. The Public Prosecutor, High Court of Madras, Chennai -104.

Copy to : The President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai.

+1cc to Mr.M.Anandaraj, Advocate SR.NO..8651

AKM/09.03.21/ 2P- 6C/

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