



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.8929 & 8934 of 2022

- 1.Sivamurugan
- 2.Anandprasath

...Petitioners / Accused in Crl.O.P.No.8929 of 2022

1. Sunil
2. Mohan
3. Balasubramanian

...Petitioners in Crl.O.P.No.8934 of 2022

Vs.

1. State represented by
The Inspector of Police,
R-8, Vadapalani Police Station,
Chennai.

2. Sunil

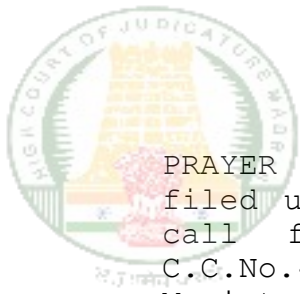
...Respondents / Complainant /
Defacto Complainant in Crl.O.P.No.8929 of 2022

1. State represented by
The Inspector of Police,
R-8, Vadapalani Police Station,
Chennai.

2. Sivamurugan
3. Anand Prasath

...Respondents in Crl.O.P.No.8934 of 2022

PRAYER in Crl.O.P.No.8929 of 2022: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for the records relating to C.C.No.4946 of 2017 on the file of XVII Metropolitan Magistrate Court at Saidapet, Chennai and quash the same.



PRAYER in Crl.O.P.No.8934 of 2022: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records pertaining to the proceedings in C.C.No.4945 of 2017 pending before the file of XVII Metropolitan Magistrate Court at Saidapet, Chennai and quash the against the petitioners herein.

In Crl.O.P.No.8929 of 2022,

For Petitioner : Mr.S.Marshall
For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor.
For R2 : Mr.J.Jayavenkataraman

In Crl.O.P.No.8934 of 2022,

For Petitioners : Mr.J.Jayavenkataraman
For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor.
For R2 & R3 : Mr.S.Marshall

COMMON ORDER

These Criminal Original Petitions have been filed seeking to call for the records relating to the proceedings in C.C.Nos.4945 & 4946 of 2017 on the file of the learned XVII Metropolitan Magistrate Court at Saidapet, Chennai and quash the same.

2. Both the cases are case and a case in counter and the cases are under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. Joint Memos of Compromise dated 05.04.2022 have been filed before this Court, which have been signed by both the petitioners and the defacto complainants and also by their respective counsel. The petitioners and the defacto complainants are present before this Court and they were identified by their respective counsel. This Court has also enquired both the parties and 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 proceedings in C.C.Nos.4945 & 4946 of 2017 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 Gujarat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quash the proceedings in C.C.Nos.4945 & 4946 of 2017.

5. Accordingly, these Criminal Original Petitions stand allowed and as a sequel, the proceedings in C.C.Nos.4945 & 4946 of 2017 on the file of the learned XVII Metropolitan Magistrate Court at Saidapet, Chennai, is quashed and the joint compromise memos, shall form part and parcel of this order.

(*)Herein enclosed the xerox copy of the Affidavit & Joint compromise Memo.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The XVII Metropolitan Magistrate Court,
Saidapet, Chennai.
2. -do through- The Chief Metropolitan Magistrate,
Egmore, Chennai.
3. The Inspector of Police,
R-8, Vadapalani Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Marshall, Advocate, S.R.No.28108

Cr1.O.P.Nos.8929 & 8934 of 2022

EV[co]
NSK 11/05/2022