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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.11623 OF 2022

AND

CRL.M.P.NOS.6619 AND 6620 OF 2022

1.Suriya
2.Jothilingam
3.Vinothkumar
4.Kasi rajan
5.Pandiyarajan
6.Manikandan
7.Aravinth
8.Mohamed Ashik
9.Pattu Jeyaraman

...Petitioners / Accused

Vs.

1.State rep. by
Inspector of Police
B-2, Esplanade Police Station
Chennai
(Crime No.1582 of 2014)

...1st Respondent / Complainant

2. Beer Hanif

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.1945 of 2016 pending on the file of the Metropolitan Magistrate Court No.VII, George Town, Chennai and to quash the same.

For Petitioners : Mr.C.Prabakaran

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor [for R1]
Mr.D.Prasannakumar [for R2]

ORDER

This Criminal Original Petition has been filed to quash C.C.No.1915 of 2016 for the offences under Section 147, 148, 341, 294(b), 323 (2 counts), 326, 506(ii) r/w 149 of I.P.C., pending on the file of the Metropolitan Magistrate Court No.VII, George Town, Chennai.



2. The case is still in the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

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3. A Compromise Affidavit dated 20.06.2022 has been filed before this Court by the Second Respondent wherein it is stated by that the compromise entered into between the parties is reduced into writing by way of Joint Compromise Memo and the parties to the Petition to quash along with the respective counsel have signed the same, agreeing to the filing of the quash petitions by both parties and express their unconditional willingness to get the case quashed in C.C.No.1945 of 2016 registered at his instance.

4. Today all the parties are present and identified by their respective counsel and the Investigating Officer. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card and the same also made as a part of the record. 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 Charge Sheet 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in C.C.No.1945 of 2016 on the file of the Metropolitan Magistrate Court No.VII, George Town, Madras.

6. This Criminal Original Petition stands allowed and the Compromise Affidavit shall form part and parcel of this Order. Consequently connected C.M.Ps are closed.

Encl.: Xerox copy of Compromise
Affidavit dt.20.06.2022

Sd/-
Deputy Registrar(CS)

// True Copy //

Sub Assistant Registrar

ggs

To

1.The Metropolitan Magistrate No.VII
George Town, Chennai



2.The Inspector of Police,
B-2, Esplanade Police Station,
Chennai.

3.The Public Prosecutor
High Court of Madras
Chennai 600 104.

+2ccs to Mr.C.Prabakaran, Advocate Sr.No.37502

Crl.O.P.No.11623 of 2022 and
Crl.M.P.Nos.6619 and 6620 of 2022

EV(CO)
RVM(07/07/2022)