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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.No.13375 of 2022

1.Akbar Basha,
2.Jayaprakash
3.Vinoth @ Kutty Vinoth
4.Manikandan,
5.Vinoth @ N.Block Vinothkumar ...Petitioners

Vs.

1. State represent by
The Inspector of Police,
T-14, Mangadu Police Station,
Kancheepuram District.
2. R.Selvam
S/o.Ranganathan ...Respondents

PRAYER:Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to S.C.No. 38 of 2019 pending on the file of the District Judge, Kancheepuram and quash the same.

For Petitioners: Mr.G.Ashok Kumar

For Respondents: Mr.Leonard Arul Joseph Selvam
Govt. Advocate (Crl.Side) for R1

Mr.Maria Joseph Vincent for R2

ORDER

The Criminal Original Petition has been filed by the petitioner under Section 482 of Cr.P.C., to call for the records pertaining to S.C.No. 38 of 2019 pending on the file of the learned District Judge, Kancheepuram and quash the same.

2.When the matter is taken up today for consideration, the learned counsel for the parties represented that the dispute among themselves has been settled and they have compromised the



matter with each other and accordingly prayed for appropriate orders.

3.The defacto complainant and the accused are present before this Court. They were identified by their respective counsel on record and the Investigating Officer. The parties have filed affidavits stating that the complaint u/s.294(b), 341, 307 IPC thereafter altered to 147, 148, 294(b), 341, 307 IPC r/w. 149 IPC have been compromised. Though the said offence are not compoundable, since it is a private dispute and it will not affect or create any impact on the society, and also considering the guidelines issued by the Hon'ble Apex Court in Criminal Appeal No.1723 of 2017 (Arising out of SLP (CRL) No.9549 of 2016) in Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, this Court is inclined to quash the same.

4.The affidavit filed by the petitioner and the 2nd respondent herein are taken on record.

5.In the result, this Criminal Original Petition stands allowed. S.C.No.38 of 2019 pending on the file of the learned District Judge, Kancheepuram is hereby quashed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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1. The District Judge,
Kancheepuram.
2. The State of Tamil Nadu rep by.
Inspector of Police,
T-14, Mangadu Police Station,
Kancheepuram District.
3. The Public Prosecutor
High Court of Madras,
Chennai.

+2cc to Mr.G.Ashok kumar, Advocate, S.R.No.35289

CRL.O.P.No.13375 of 2022

KK(CO)
RGA(23/06/2022)