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CrI.O.P.No.21820 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.21820 of 2022

K.Thiruthanikachalam

... Petitioner

Vs.

1. The State rep by
The Inspector of Police
Cyber Crime Branch,
Central Crime Branch,
Veperi, Chennai – 7.
(Crime No.192/2020)

2. P.Gurunathan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to the proceedings of C.C.No.4221 of 2020 on the file of the learned Chief Metropolitan Magistrate Court, Special Court for CCB & CBCID Cases, Egmore, Chennai and quash the same.

For Petitioner : Mr.R.Venkatesan

For Respondents

For R1 : Mr.E.Raj Thilak
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.4221 of 2020 on the file of the learned Chief Metropolitan Magistrate Court, Special Court for CCB & CBCID Cases, Egmore, Chennai, thereby taken cognizance for the offences under Sections 417, 420 of IPC and Section 15(3) of the Indian Medical Council Act, 1956 as against the petitioner.

2. The petitioner is arrayed as accused in the above said case and the trial is pending. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an



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amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the proceedings 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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings in C.C.No.4221 of 2020.

5. Accordingly, the Criminal Original Petition stand allowed and as a sequel, the proceedings in C.C.No.4221 of 2020 on the file of the learned Chief Metropolitan Magistrate Court, Special Court for CCB & CBCID Cases, Egmore, Chennai, is quashed and the Joint Memo of Compromise shall form part and parcel of this Order.

12.09.2022

Internet: Yes

Index : Yes/No

Speaking/Non speaking order

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G.K.ILANTHIRAIYAN. J.

rts

To

- 1.The Chief Metropolitan Magistrate Court,
Special Court for CCB & CBCID Cases,
Egmore, Chennai
- 2.The Inspector of Police
Cyber Crime Branch,
Central Crime Branch,
Veperi, Chennai – 7.
- 3.The Public Prosecutor,
High Court,
Madras.

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