



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.20399 & 20406 of 2021
and
Crl.M.P.Nos.11172 & 11096 of 2021

1. Dr.Udhayan Felix, M.D. R.D.,
S/o.Mr.B.Felix
... Petitioner in Crl.O.P.No.20399 of 2021
2. Dr.Mugilan,
S/o.Kalaiselvan
... Petitioner in Crl.O.P.No.20406 of 2021

Vs

1. State Represented by
The Inspector of Police,
Economic Offences Wing-II/HQrs,
Anna Nagar, Chennai.
(Crime No.8 of 2012)
2. Dr.A.Subramaniyan,
S/o.Aathimoolam
... Respondents in both Crl.O.Ps

Prayer in both Crl.O.Ps: These Criminal Original Petitions filed under Section 482 of Cr.P.C., to call for the records pertaining to C.C.No.1840 of 2013 on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioners : Mr.K.V.T.Kannan
(In Crl.O.P.No.20399 of 2021)
: Mr.R.Ranjith Kumar
(In Crl.O.P.No.20406 of 2021)
For Respondents :
For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor
(In both Crl.O.Ps)



COMMON ORDER

These Criminal Original Petitions have been filed, to quash the proceedings in C.C.No.1840 of 2013 pending on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai, for the offences punishable under Sections 406, 420 read with Section 120(B) of IPC.

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

3. A Memo of Compromise has been filed before this Court, which have been signed by the petitioners and the second respondent and also by the learned counsel for the petitioners. The petitioners and the second respondent were also present in person before this Court and they were identified by the first respondent. 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 proceedings in C.C.No.1840 of 2013 pending, further, the offences involved are 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.1840 of 2013.

5. Accordingly, these Criminal Original Petitions stand allowed and as a sequel, the proceedings in C.C.No.1840 of 2013 on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai, is quashed and the terms of compromise memo shall form part and parcel of this order. Consequently, connected Criminal Miscellaneous Petitions are closed.

* Xerox copy of the Memo of Compromise is enclosed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

arb



To

1. The Chief Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
Economic Offences Wing-II/HQrs,
Anna Nagar, Chennai.
3. The Public Prosecutor,
High Court of Madras.

+2ccs to Mr.K.V.T.Kannan, Advocate, S.R.No.20125

+2ccs to Mr.R.Ranjith Kumar, Advocate, S.R.No.20124

Crl.O.P.Nos.20399 & 20406 of 2021
and
Crl.M.P.Nos.11172 & 11096 of 2021

BR(CO)
SU(08/04/2022)