



CrI.O.P.No.8305 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.O.P.No.8305 of 2023

1. Pradiyun
2. Swetha

... Petitioners

Vs.

1. The Inspector of Police,
R-2, Kodambakkam Police Station,
Kodambakkam,
Chennai 600 024.

2. Pranav
3. Paul Joseph

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.263 of 2023, on the file of the XVII Metropolitan Magistrate, Saidapet and quash the same.

For Petitioners	: Mr.A.E.Ravichandran
For R1	: Mr.Leonard Arul Joseph Selvam Government Advocate (CrI.Side)
For R2 and R3	: Mr.V.Sivanandham

ORDER

This Criminal Original Petition has been filed calling for the records in C.C.No.263 of 2023, on the file of the XVII Metropolitan Magistrate, Saidapet and to quash the same.



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2. The accused were charged for the offences under Sections 341, 294(b), 365, 384, 506(1) and 34 of IPC in Crime No.119 of 2021 on the file of the respondent Police in connection with C.C.No.263 of 2023, on the file of the XVII Metropolitan Magistrate, Saidapet.

3. It is seen from the FIR allegation that the petitioners said to have abducted one Paul Joseph, who is an employee of the defacto complainant and the petitioners said to have been threatened the defacto complainant that unless a sum of Rs.1,04,000/- is given, the said Paul Joseph will not be released. There was also criminal intimation made by the petitioners.

4. When the matter is taken up today, the petitioners, the second respondent/defacto complainant and the third respondent filed a joint memo of compromise dated 15.03.2023. The second and third respondents also filed consent affidavits.

5. It is seen from the joint memo of compromise and also the consent affidavits of the second and third respondents that there was an issue between the parties relating to money transaction and that has been resolved now.



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6. The learned Government Advocate (CrI.Side) submitted that the case is still at the stage of Trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

7. The petitioners, the second and third respondents are present in person before this Court and they were identified by **Mr.J.Muthusamy, Sub Inspector of Police, R2, Kodambakkam Police Station**. This Court enquired the parties and is satisfied that the parties have come to an amicable settlement between themselves. In view of the settlement, continuance of the proceedings would be a waste of time for the reason that conviction is not possible.

8. 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 pending C.C.No.263 of 2023, on the file of the XVII Metropolitan Magistrate, Saidapet against the petitioners.

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings pending in C.C.No.263 of 2023, on the file of the XVII Metropolitan Magistrate, Saidapet as against the petitioners is hereby quashed



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and the terms of joint compromise memo dated 15.03.2023 shall form part and
parcel of this order.

24.04.2023

Index: Yes/No
Speaking/Non speaking order
mn

To

1. The XVII Metropolitan Magistrate, Saidapet.
2. The Inspector of Police,
R-2, Kodambakkam Police Station,
Kodambakkam,
Chennai 600 024.
3. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN.J.,

mn

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