



CrI.O.P No.6881 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.6881 of 2023

and

CrI.M.P.No.4321 of 2023

1.Nagarajan
S/o.K.Velayutham

2.K.Velayutham
S/o.Kakumperumal

3.Geetha
W/o.K.Velayutham

4.Uma
W/o.Somasundaram

... Petitioners

VS.

1.State : Inspector of Police,
W-28, All Woman Police Station,
Ambattur, Chennai.

2.Thangaveni
W/o.Nagarajan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.25 of 2016 pending on the file of Judicial Magistrate, Ambattur and quash the same.



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For Petitioner : Mr.T.K.S.Gandhi

For Respondents : Mr.A.Gopinath

Government Advocate [Crl.side] [R1]

Mr.R.Sakthinathan [R2]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.25 of 2016 pending on the file of Judicial Magistrate, Ambattur.

2. 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.

3. A compromise affidavit has been filed by the second respondent/de-facto complainant before this Court. The first petitioner and second respondent were also present in person before this Court. In the affidavit, it has been stated that the first petitioner and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.25 of 2016 pending on the file of Judicial Magistrate, Ambattur. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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4. Under such circumstances, no useful purpose will be served in keeping the case 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 Gujraath)** and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.25 of 2016 pending on the file of Judicial Magistrate, Ambattur.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.25 of 2016 pending on the file of Judicial Magistrate, Ambattur is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

11.07.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm



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N. ANAND VENKATESH., J

gm

To

- 1.The Judicial Magistrate,
Ambattur.
- 2.The Inspector of Police,
W-28, All Woman Police Station,
Ambattur, Chennai.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

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