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CrI.O.P.No.8936 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.8936 of 2022
and CrI.M.P.No.5193 of 2022

1.Nizvanullah
2.Udhuman

...Petitioners

vs.

1.The Inspector of Police,
D4, Jam Bazzar Police Station,
Triplicane, Chennai District.
(Crime No.370 of 2021)

2.Sara Begum

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the proceedings in CC.No.525 of 2022 on the file of II Metropolitan Magistrate at Egmore.

For Petitioners : Mr.M.Mohammed Riyas
For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor, for R1

ORDER

This Criminal Original Petition has been filed to call for the records and quash the proceedings in CC.No.525 of 2022 on the file of II Metropolitan Magistrate at Egmore.



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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. The Joint Memo of Compromise and the affidavits of the petitioners and defacto complainant have been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present before this Court. In the joint compromise memo, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in C.C.No.525 of 2022. 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 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



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in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in CC.No.525 of 2022 on the file of the learned II Metropolitan Magistrate at Egmore.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.525 of 2019, pending on the file of the learned II Metropolitan Magistrate at Egmore, is quashed and the terms of affidavit shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty only) as costs, to the credit of the **President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157)**, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

04.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
nsa



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N. ANAND VENKATESH, J.

nsa

1. The II Metropolitan Magistrate at Egmore.
2. The Inspector of Police,
D4, Jam Bazzar Police Station,
Triplicane, Chennai District.
(Crime No.370 of 2021)
3. The Public Prosecutor,
Puducherry.

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