



Crl.O.P.No.7304 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.7304 of 2023
and
Crl.M.P.No.4653 and 4655 of 2023

1.J.Velmurugan
2.Jayachandran

...Petitioners

VS.

1. The Inspector of Police,
W5, All Women Police Station,
Tambaram, Chennai.

2. S.Narayani

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in Crime No.32 of 2016 filed in C.C.No.23 of 2017 on the file of Judicial Magistrate No.I, Tambaram, which is now transferred and renumbered as C.C.No.345 of 2023 on the file of Judicial Magistrate, Pallavaram, and quash the same.



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For Petitioners : Ms.D.Kamatchi

For Respondents : Mr.A.Gopinath,
Government Advocate,
for R1

Mr.P.Senthilvel for R2

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the proceedings in C.C.No.23 of 2017 on the file of Judicial Magistrate No.I, Tambaram, which is now transferred and renumbered as C.C.No.345 of 2023 on the file of Judicial Magistrate, Pallavaram and quash the same.

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 consent affidavit 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 present before this Court. In the joint compromise memo and



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consent affidavit, it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in C.C.No.23 of 2017 on the file of Judicial Magistrate No.I, Tambaram, which is now transferred and renumbered as C.C.No.345 of 2023 on the file of Judicial Magistrate, Pallavaram. 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 Gujrath)**, 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.23 of 2017 on the file of Judicial Magistrate No.I, Tambaram, which is now transferred and renumbered as C.C.No.345 of 2023 on the file of Judicial Magistrate, Pallavaram.

5. These Criminal Original Petitions stand allowed and as a sequel, the



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proceedings in C.C.No.23 of 2017 on the file of Judicial Magistrate No.I, Tambaram, which is now transferred and renumbered as C.C.No.345 of 2023 on the file of Judicial Magistrate, Pallavaram, is quashed and the terms of affidavit shall form part and parcel of this order. No cost. Consequently, the connected miscellaneous petitions are also closed.

24.07.2023

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

To

1. The Inspector of Police,
W5, All Women Police Station,
Tambaram, Chennai.
2. The Judicial Magistrate No.I,
Tambaram
3. The Judicial Magistrate,
Pallavaram.
4. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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N. ANAND VENKATESH, J.

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24.07.2023
(1/2)