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[IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.15562 of 2023

Subash

Petitioner

vs.

1.The State rep. by
The Sub Inspector of Police,
Thirumangalam Police Station
Chennai.

..1st Respondent/
Complainant

2.S.Simiyon

..2nd Respondent /
De facto Complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.6665 of 2022, on the file of the learned XIII Metropolitan Magistrate Court at Egmore, Chennai and to quash the same.

For Petitioner : Mr.R.Krishnamoorthy

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1

Mr.P.S.Siva Muruganantham for R2



ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.6665 of 2022, pending on the file of the XIII Metropolitan Magistrate Court, Egmore, Chennai.

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 Joint Memo of Compromise dated 19.04.2023 has been filed before this Court which have been signed by the petitioner and the 2nd respondent/ de facto complainant and also by their respective counsel. The petitioners and the second respondent were also present in person 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.6665 of 2022, pending on the file of the XIII Metropolitan Magistrate Court, Egmore, Chennai. 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 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.6665 of 2022, pending on the file of XIII Metropolitan Magistrate Court, Egmore, Chennai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.6665 of 2022, pending on the file of XIII Metropolitan Magistrate Court, Egmore, Chennai is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.15,00/- (Rupees one thousand five hundred 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 two weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

N. ANAND VENKATESH., J.

KP



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6.This criminal original petition is allowed in the above terms.

WEB COPY

17.07.2023

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

To

1.The State rep. by
The Sub Inspector of Police,
Thirumangalam Police Station
Chennai.

2.XIII Metropolitan Magistrate Court at Egmore,
Chennai.

3.The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.15562 of 2023

17.07.2023