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Crl.O.P.No.10247 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.10247 of 2023

1.Mohamed Naina Sickandar

2.Mohamed Ayub

3.Fahath

...Petitioners

-Vs-

1.The State rep by its,
The Sub-Inspector of Police,
N-3, Muthialpet Police Station,
Chennai-600 001.

2.Ameer Sulthan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records in C.C.No.825 of 2022 on the file of learned XVI Metropolitan Magistrate, George Town, Chennai and quash the same by allowing this Criminal Original Petition.

For Petitioner : Mr.H.Thameen Ansari

For R1 : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER



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WEB COPY This Criminal Original Petition has been filed to quash the proceedings in C.C.No.825 of 2022 on the file of the learned XVI Metropolitan Magistrate, George Town, Chennai pursuant to the compromise arrived at by the parties.

2. The case is still in 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 has been filed before this Court which has been signed by the petitioners and the second respondent. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. 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



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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 in C.C.No.825 of 2022.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.825 of 2022 on the file of the learned XVI Metropolitan Magistrate Court, George Town, Chennai, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thosuang only), as costs, to the Legal Services Authority attached to this Court, 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.

04.05.2023

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
dsa/jv



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To

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1. The Sub-Inspector of Police,
N-3, Muthialpet Police Station,
Chennai-600 001.
2. The XVI Metropolitan Magistrate,
George Town, Chennai.
3. The Additional Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J

dsa/jv

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