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Crl.O.P No.16845 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.16845 of 2023

1.S.Yuvaraj

S/o.Shanmugam

... Petitioner

VS.

1.The State represented by,
The Inspector of Police,
H-6, R.K.Nagar Police Station,
Washermenpet,
Chennai - 600 021.

2.A.Mohanavelu,
S/o.Arumugam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.7 of 2022 pending on the file of Metropolitan Magistrate-XV, George Town, Chennai and quash the same.

For Petitioners : Mr.V.Karthick

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.7 of 2022 pending on the file of Metropolitan Magistrate-XV, George Town, 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 compromise affidavit has been filed by the second respondent/de-facto complainant before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by Mr.B.Kumar, Sub-Inspector of Police, H-6, R.K.Nagar Police Station, Washermenpet, Chennai - 600 021. In the affidavit it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.7 of 2022 pending on the file of Metropolitan Magistrate-XV, George Town, Chennai. 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.7 of 2022 pending on the file of Metropolitan Magistrate-XV, George Town, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.7 of 2022 pending on the file of Metropolitan Magistrate-XV, George Town, Chennai is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,000/- (Rupees One Thousand 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 (2) weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the



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Registry.

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

To

- 1.The Metropolitan Magistrate-XV,
George Town, Chennai
- 2.The Inspector of Police,
The Inspector of Police,
H-6, R.K.Nagar Police Station,
Washermenpet,
Chennai - 600 021.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J

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