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1 of 4

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.16450 of 2023

Jayapandiyan (Age-54)
S/o.Kannaiyan

.. Petitioner

vs.

1.State By: The Station House Officer
Nettapakkam Police Station
Puducherry.

..1st Respondent/Complainant

2.Paneer @ Paneer Selvam
S/o.Iyyanar

2nd Respondent/De facto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the final report/charge sheet in C.C.No.474 of 2015, on the file of the Judicial Magistrate-I, Puducherry.

For Petitioner : Mr.K.Sasindram

For Respondents : Mr.C.V.Ramachandramurthy
Additional Public Prosecutor (P)
for R1

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in C.C.No.474 of 2015, pending on the file of the Judicial Magistrate-I, Puducherry and quash the same.



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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 has been filed before this Court which have been signed by the petitioner and the 2nd respondent and also by their respective counsel. The petitioner 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.474 of 2015. 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.474 of 2015, on the file of the Judicial Magistrate-I, Puducherry.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.474 of 2015, pending on the file of the Judicial Magistrate-I, Puducherry, quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (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 one week from the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

21.07.2023

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



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4 of 4



N. ANAND VENKATESH., J.
KP

To

1. The Station House Officer
Nettapakkam Police Station
Puducherry.
2. Judicial Magistrate-I,
Puducherry.
3. The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.16450 of 2023

21.07.2023