



Crl.O.P.No.16676 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.16676 of 2023

1. Kaviarasan
 2. Aditya
 3. Abdul Raashid
 4. Tharun
- .. Petitioners

Versus

1. State, represented by
The Inspector of Police,
Periyanaickenpalayam Police Station,
Coimbatore District.
(Crime No.100 of 2023)
 2. Subash
- .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.1523 of 2023 on the file of the learned Judicial Magistrate No.V of Coimbatore and quash the same.

For Petitioners : Mr.S.N.Arun Kumar

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl. Side),
for R1



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ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in C.C.No.1523 of 2023 on the file of learned Judicial Magistrate No.V, Coimbatore 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 affidavit, dated 15.07.2023 of the second respondent / de-facto complainant and joint memo of compromise entered into between the parties have been filed before this Court. The parties were also present in person before this Court and they were identified by Mr.M.Surendran, Sub-Inspector of Police, Periyanaickenpalayam Police Station, Coimbatore. In the affidavit, it has been stated that the parties have entered into a compromise and amicably settled their issues in C.C.No.1523 of 2023. 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 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.1523 of 2023, pending on the file of the learned Judicial Magistrate No.V, Coimbatore.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1523 of 2023, pending on the file of the Judicial Magistrate No.V, Coimbatore is quashed and the terms of affidavit of the second respondent / de-facto complainant shall form part and parcel of this order. The petitioner shall pay a sum of Rs.500/- (Rupees One thousand only) each as costs, to the credit of the **President, Advocates Clerk Association, Ponneri, Thiruvallur District (The Kancheepuram Central Co-operative Bank Ltd., A/c No.717907005, IFSC Code:TNSC0010200).**



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within a period of two weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6. Post this case under the caption "For Reporting Compliance" on 04.09.2023.

18.08.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

Note : Issue order copy on 22.08.2023.

To

1. The Judicial Magistrate No.V,
Coimbatore.
2. The Public Prosecutor,
High Court of Madras.
3. The Inspector of Police,
Periyanaickenpalayam Police Station,
Coimbatore.



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N.ANAND VENKATESH, J.

grs

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