



Crl.O.P.No.16784 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.16784 of 2023

Shaik @ Shaik Abdul Kadhar,
S/o.Mohammed Sali

... Petitioner

VS.

1. State rep. by the
Inspector of Police,
D-3 Ice House Police Station,
Chennai – 600 014.
(Crime No.513 of 2017)

2. Noorbi,
W/o.Mohammed Rouf,

3. Chand Basha
S/o.Mohammed Rouf

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in split up C.C.No.15591 of 2022 on the file of the II Metropolitan Magistrate Court at Egmore, Chennai, and quash the same.



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For Petitioner : Mr.S.Lokesh

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

Mrs.M.P.Banupriya [R2 & R3]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.15591/2022 pending on the file of II 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 compromise affidavit has been filed by both the parties before this Court. The petitioner and the second and third respondents were also present in person before this Court and they were identified by Mr.Ayyappan, Sub-Inspector of Police, D3 Ice House Police Station, Chennai. In the affidavit, it has been stated that the petitioner and the second and third respondents have entered into a compromise and amicably settled their issues in C.C.No.15591 of



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2022 pending on the file of the II 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.15591 of 2022 pending on the file of the II Metropolitan Magistrate Court, Egmore, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.15591 of 2022 pending on the file of the II 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.2,500/- each (Rupees Two Thousand Five Hundred only) as costs, to the credit of the **President, Tamil Nadu Advocates Clerk Association, Madras High Court,**



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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 Registry.

27.07.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
mp/mkn

To

- 1.The II Metropolitan Magistrate Court,
Egmore, Chennai.
2. The Inspector of Police,
D-3 Ice House Police Station,
Chennai – 600 014.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J

mp/mkn

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