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Crl.O.P.No.20859 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2023

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

Crl.O.P.No.20859 of 2019

and

Crl.MP.No.10743 of 2019

1. Mohamed Razaullah
2. Md Shafiullah
3. Md Faizaullah

... Petitioners

Vs.

1. The State rep. by
Inspector of Police,
Arcot Town Police Station,
Vellore.
2. Mohamed Azmatullah

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Crime No.503 of 2019 pending on the file of the Arcot Town Police Station, Vellore and quash the same.

For Petitioners : Mr.Karthikeyan Sekar

For Respondents : Mr.A.Gopinath
Govt.Advocate (Crl.Side) for R1
: Mr.M.Soundar Vijay Arul Ram for R2



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ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the Crime No.503 of 2019 on the file of the 1st respondent and quash the same.

2. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl.Side) appearing for the first respondent and the learned counsel for the second respondent.

3. The learned counsel for the petitioners submitted that the petitioners and the *defacto* complainant are involved in the same business of Beedi manufacturing; they are known to each other; the parties have entered into a compromise among themselves; in view of that, the *defacto* complainant does not want to pursue the matter further; the Memo of Joint Compromise dated 30.11.2020 has been filed by the *defacto* complainant, wherein, it has been stated that the petitioner and the *defacto* complainant have amicably settled the matter out of court as the dispute regarding both the parties has been sorted out completely and there is nothing pending between both the parties.



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4. When the matter was taken up today, the petitioners and the 2nd respondent/*defacto* complainant are present before this Court and identified by their respective counsel and Mr.N.Subramani, Head Constable, Special Branch, Arcot Taluk Police Station. The copy of the Aadhaar Cards of the parties have also been submitted before this Court. The terms of Memo of Joint Compromise were read over to the petitioners and the second respondent. They accepted it to be true and stated that it has been entered between themselves without any coercion or influence.

5. In view of the said Memo of Joint Compromise, I feel it is appropriate to allow the parties to go in peace. Even though the offences are non-compoundable, 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)**, this Court in exercise of power under Section 482 Cr.P.C. prefers to quash the proceedings in Crime No.503 of 2019 on the file of the 1st respondent.

6. In the result, this Criminal Original Petition is allowed and as a sequel, the further proceedings in Crime No.503 of 2019 on the file of the 1st



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respondent is quashed. The Memo of Joint Compromise shall form part of this

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Order. Consequently, connected Miscellaneous Petition is also closed.

22.02.2023

Index: Yes/No

Speaking / Non Speaking Order

Neutral Citation Case:Yes/No

kmi

To

1.The Inspector of Police,
Arcot Town Police Station,
Vellore.

2.The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.

kmi

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