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Crl.O.P No.17812 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17812 of 2023

and

Crl.M.P.Nos.11721 & 11722 of 2023

E.Ravindra Reddy,
Prop of Ravi Constructions,
No.M.590, 28th Cross Street,
Thiruvalluvar Nagar,
Thiruvannamiyur, Chennai – 600 041.

... Petitioner

vs.

1.The Inspector of Police,
M1, Madhavaram Police Station,
Madhavaram.
Chennai – 600 110.

2.Marisa Anthonate Ross

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.174 of 2022 on the file of District Munsif cum Judicial Magistrate, Madhavaram and quash the same.



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For Petitioner : Mr.V.R.Appaswamee

For Respondent-1 : Mr.A.Damodaran
Additional Public Prosecutor

For Respondent-2 : Mr.Suresh Kumar

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in C.C.No.174 of 2022, pending on the file of District Munsif cum Judicial Magistrate, Madhavaram 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. A Joint Memo of Compromise dated 11.08.2023 signed by both petitioners and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. A compromise affidavit has also been filed by the second respondent/de-facto complainant before this Court.

The petitioner and second respondent were also present in person before this



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Court and they were identified by Ms.M.Suganthi, WSSI, M1 Madhavaram Police Station. 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.174 of 2022 pending on the file of District Munsif cum Judicial Magistrate Court, Madhavaram.

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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.174 of 2022 pending on the file of District Munsif cum Judicial Magistrate Court, Madhavaram.



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5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.174 of 2022 pending on the file of District Munsif cum Judicial Magistrate Court, Madhavaram is 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 and Five hundred only), as costs, to the credit of the **President, Advocates Clerk Association, Ponneri, Ponneri Taluk, Thiruvallur District, (The Kancheepuram Central Co-operative Bank Ltd., Ponneri Branch, A/c No.717907005 IFSC Code:TNSC0010200)**, within a period of two weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petitions are closed.

11.08.2023

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

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M1, Madhavaram Police Station,
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Chennai – 600 110.
- 2.The District Munsif cum Judicial Magistrate,
Madhavaram.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH, J.

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