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Crl.O.P. No.20211 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.20211 of 2023

and

Crl.M.P.No.13749 of 2023

M.IIankumaran,
S/o.A.Muthupandian

... Petitioner/A3

VS.

1. State rep. by Inspector of Police,
Central Crime Branch,
EDF-I, Team – I,
Vepery, Chennai – 600 007.

2. Hemanth Kumar G S

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records and quash the Charge sheet vide C.C.No.8297 of 2022 on the file of Hon'ble Metropolitan Magistrate for Exclusive Trial of CCB & CBCID Cases, Egmore only in respect of this petitioner.



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For Petitioner : Mr.R.Karthikeyan

For Respondents : Mr.A.Gopinath
Government Advocate [Crl.Side] [R1]

Mr.R.C.Paul Kanagaraj [R2]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.8297/2022 pending on the file of the Metropolitan Magistrate for Exclusive Trial of CCB & CBCID Cases, Egmore.

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 compromise affidavit has been filed by both the parties before this Court. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.V.Abraham, Inspector of Police, CCB – EDF – 1, Team – 1, Chennai City. In the affidavit it has been stated that the petitioner and the second respondent have entered into a



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compromise and amicably settled their issues in C.C.No.8297 of 2022 pending on the file of Metropolitan Magistrate for Exclusive Trial of CCB & CBCID Cases, Egmore. 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.8297 of 2022 pending on the file of Metropolitan Magistrate for Exclusive Trial of CCB & CBCID Cases, Egmore.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.8297 of 2022 pending on the file of Metropolitan Magistrate for Exclusive Trial of CCB & CBCID Cases, Egmore is quashed insofar as the petitioner (A3) is concerned. As per the compromise memo, the petitioner had agreed to settle the remaining amount of Rs.15,00,000/-(Rupees



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Fifteen Lakhs only) and the same was handed over to the second respondent by

way of Demand Draft and the terms of affidavit shall form part and parcel of

this order. Consequently, connected miscellaneous petition is closed.

31.08.2023

Index : Yes/No

Speaking Order/Non-Speaking Order

Neutral citation : Yes/No

mp

To

- 1.The Metropolitan Magistrate for
Exclusive Trial of CCB & CBCID Cases, Egmore.
2. Inspector of Police,
Central Crime Branch,
EDF-I, Team – I,
Vepery, Chennai – 600 007.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J

mp

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