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CrI.O.P.No.22809 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.22809 of 2022
and
CrI.M.P.Nos.14620, 14622 of 2022

1.J.Velmurugan
2.Jayachandran

...Petitioners

VS.

1.State Rep by,
The Inspector of Police,
S-18, Chrompet Police Station,
Chennai 600 044

2.K.Sornalingam

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in Charge Sheet.No..425 of 2017 dated 26.07.2017 filed by the respondent in C.C.No.476 of 2017 on the file of the learned Judicial Magistrate, Tambaram and quash the same.



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For Petitioners : Ms.D.Kamatchi

For Respondents : Mr.A.Gopinath,
Government Advocate,
for R1

Mr.P.Senthilvel for R2

ORDER

These Criminal Original Petitions have been filed to call for the records pertaining to the proceedings in C.C.No.476 of 2017 on the file of the learned Judicial Magistrate, Tambaram 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 Joint Memo of Compromise and consent affidavit have been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners were present before this Court. The second respondent has appeared through the Video Conference. In the joint compromise memo and consent affidavit, it has been



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stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in C.C.No.476 of 2017 on the file of the learned Judicial Magistrate, Tambaram. 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 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.476 of 2017 on the file of the learned Judicial Magistrate, Tambaram.

5. These Criminal Original Petitions stand allowed and as a sequel, the proceedings in C.C.No.476 of 2017 on the file of the learned Judicial Magistrate, Tambaram, is quashed and the terms of affidavit shall form part and parcel of this order. No cost. Consequently, the connected miscellaneous



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petitions are also closed.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
nsa

To

1. The Inspector of Police,
S-18, Chrompet Police Station,
Chennai 600 044
2. The Judicial Magistrate, Tambaram
3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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N. ANAND VENKATESH, J.

nsa

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and CrI.M.P.Nos.14620, 14622 of 2022

24.07.2023
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