



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19127 of 2023
and Crl.MP.No.12815 of 2023

Deepak Raju

Petitioner

vs.

1. State by
The Inspector of Police,
Perianaicken Palayam Police Station,
Coimbatore District.

2. N.Ramdass

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in CC No.1459 of 2019 pending on the file of the learned Judicial Magistrate Court V, Coimbatore.

For Petitioner : Mr.M.Jaikumar

For Respondent :Mr. A. Damodaran,

Additional Public Prosecutor-R1

ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC No.1459 of 2019 pending on the file of the learned Judicial Magistrate Court V, Coimbatore.



WEB COPY

2. The case is still at the stage of trial. The parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The Affidavit has been filed by Mr.Rajini Kanna, Chief Manager on behalf of 2nd respondent/Defacto complainant before this Court. The petitioner and the Chief Manager/Defacto complainant were also present in person before this Court. In the affidavit, it has been stated that the petitioner and the defacto complainant/bank had entered into a compromise and amicably settled their issues in CC No.1459 of 2019. 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 proceedings 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 Suprme 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 proceedings in CC No.1459 of 2019 pending on the file of the learned Judicial Magistrate Court V, Coimbatore.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No.1459 of 2019 pending on the file of the learned Judicial Magistrate Court V, Coimbatore, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5,000/- (Rupees five thousand only) in entirety as costs, to the credit of the **President, Tamil Nadu Advocates Clerk Association, Cuddalore (Indian Overseas Bank, Pudupalayam, Cuddalore 1 A/c No.177801000003906, IFSC Code:IOBA0001778)**, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, the connected miscellaneous petition is closed.



WEB COPY

6. Post this case under the caption for reporting compliance on
15.09.2023.

25.08.2023

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order
rka

Note : Issue on 04.09.2023

To

1. The Judicial Magistrate Court V, Coimbatore

2. State by

The Inspector of Police,
Perianaicken Palayam Police Station,
Coimbatore District.

3. The Public Prosecutor,
High Court, Madras



WEB COPY



5

N. ANAND VENKATESH, J.
rka

CrI.O.P No.19127 of 2023
and CrI.MP.No.12815 of 2023

25.08.2023