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Crl.O.P No.20686 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.20686 of 2023

and

Crl.M.P.Nos.14126 & 14128 of 2023

Manikandan

... Petitioner/Accused

vs.

1.The Inspector of Police,
Kachirayapalayam Police Station,
Kallakurichi District.

2.Jayaraman

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in C.C.No.77 of 2023 on the file of the learned Judicial Magistrate-I, Kallakurichi District and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.V.Gunasekar

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

For Respondent-2 : Mr.J.Pradeep



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ORDER

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The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in C.C.No.77 of 2023 on the file of the learned Judicial Magistrate-I, Kallakurichi District 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 17.04.2023 signed by both petitioner 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 before this Court through Video Conference and they were identified by Mr.M.Raman, S.I. of Police, Kachirapalayam Police Station (Mob: 9498152976). In the affidavit it



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has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.77 of 2023 on the file of the learned Judicial Magistrate-I, Kallakurichi District.

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 Suprme 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.77 of 2023 on the file of the learned Judicial Magistrate-I, Kallakurichi District.



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N. ANAND VENKATESH, J.

rsi

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.77 of 2023 on the file of the learned Judicial Magistrate-I, Kallakurichi District, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

08.09.2023

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

rsi

To

- 1.The Inspector of Police,
Kachirayapalayam Police Station,
Kallakurichi District.
- 2.The Public Prosecutor,
High Court of Madras.

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and Crl.M.P.Nos.14126 & 14128 of 2023