



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.19856 of 2023
and Crl.MP.No.13436 of 2023

- 1.Gajendhiran
- 2.Kalaiyaran
- 3.Palanichami
- 4.Durai
- 5.Sundar
- 6.Sankar
- 7.Suresh
- 8.Surender
- 9.Mani

... Petitioners

Vs.

- 1.State Rep. by
The Inspector of Police,
Thirupapuliyur Police Station,
Thirupapuliyur, Cuddalore.

- 2.Annamalai

...Respondents



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PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.C.No.24 of 2023 on the file of the Principal District and Sessions Judge, Cuddalore and quash the same.

For Petitioners : Mr.S.C.Vishwanth

For Respondent R1 : Mr.A. Gopinath, Government Advocate

ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in S.C.No.24 of 2023 on the file of the Principal District and Sessions Judge, Cuddalore 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 has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before



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this Court and they were identified by Mr.D.Balamurugan, Special Sub Inspector of Police, Thirupapuliyur Police Station, Cuddalore. In the joint compromise memo it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in S.C.No.24 of 2023. 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 S.C.No.24 of 2023, pending on the file of Principal District and Sessions Judge, Cuddalore .

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.24 of 2023, pending on the file of Principal District and Sessions Judge, Cuddalore is quashed and the terms of affidavit shall form part and parcel of this order.



Each of the petitioners shall pay a sum of Rs.500/- (Rupees Five Hundred only) as costs, to the credit of the **President, Salem Advocates Clerk Association, Intergrated District Court Complex, Asthampatty PO, Salem – 636 0077 (Indian Overseas Bank, District Court Branch, Salem – 7, A/c No.178001000000397, IFSC Code:IOBA0001780)**, 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, connected miscellaneous petition is closed.

6.Post this case under the caption 'For Reporting Compliance' on 20.09.2023.

01.09.2023

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

Note:Issue order copy on 05.09.2023

To

- 1.The Principal District and Sessions Judge,
Cuddalore.
- 2.The Inspector of Police,
Thirupapuliur Police Station,
Thirupapuliur, Cuddalore.



3. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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