



Crl.O.P.No.21644 of 2023

In the High Court of Judicature at Madras

Dated : 22.9.2023

Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

Criminal Original Petition No.21644 of 2023
& Crl.M.P.No.14949 of 2023

D.Thirumoorthi

...Petitioner

Vs

1.The Sub-Inspector of Police,
F2 Egmore Police Station,
Chennai.

2.Mahalingam

...Respondents

PETITION under Section 482 of the Criminal Procedure Code praying to call for the records pertaining to the accused/petitioner in Crime No.299 of 2023 pending on the file of F2 Egmore Police Station, Chennai and quash the same.

For Petitioner	:	Mr.B.Raja
For Respondent-1	:	Mr.A.Gopinath, GA (Crl.Side)
For Respondent-2	:	Mr.D.Sugumar

ORDER

This is a petition filed by the petitioner seeking to quash the proceedings in Crime No.299 of 2023 on the file of the first respondent



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herein.

2. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl.Side) appearing for the first respondent and the learned counsel appearing for the second respondent.

3. 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 amicable between themselves.

4. A joint compromise memo dated 29.08.2023 signed by both the Petitioner and the defacto Complainant namely the second respondent has been filed before this Court. Two separate affidavits dated 29.08.2023 have also been filed by both the Petitioner as well as the second respondent/defacto Complainant before this Court. In the affidavits, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.299 of 2023 on the file of the first respondent. This Court is satisfied that the parties have come to an amicable settlement between themselves.



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5. 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 in the case of **Parbathbhai Aahir @ Parbathbhai vs. State of Gujrath [reported in 2017 (9) SCC 641]** and after exercising due caution as advised by the Hon'ble Supreme Court in the case of **State of Madhya Pradesh Vs. Dhruv Gurjar and Another [reported in (2019) 2 MLJ (Crl.) 10]**, this Court, in exercise of its jurisdiction under Section 482 of the Criminal Procedure Code, quashes the case in Crime No.299 of 2023 on the file of the first respondent.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.299 of 2023 on the file of the first respondent is quashed. Consequently, the connected Crl.M.P. Is closed. The terms of the joint compromise memo dated 29.08.2023 and the terms of affidavits dated 29.8.2023 filed by both the petitioner and the second respondent shall form part and parcel of this order. The petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred



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and Fifty only) as costs to the credit of **the President, Advocates Clerk Association, Udumalpet (Bank of India; Udumalpet Branch, A/c No.824410110004383, IFSC Code: BKID0008244)**, within a period of two (2) weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Post this case under the caption 'for reporting payment of cost' on 20.10.2023.

22.9.2023

Note: Issue order copy by 06.10.2023

Index : Yes (or) No
Neutral Citation : Yes (or) No

To
1.The Sub-Inspector of Police,
F2 Egmore Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

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N.ANAND VENKATESH,J

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