



Crl.O.P.No.22055 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.9.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.22055 of 2023

1.Kishore rep.by his father

Mr.Shankar

2.Shakila

3.Akash

4.Radhakrishnan

...Petitioners

Vs.

1.State rep. by

The Inspector of Police,
Chithamur Police Station,
Chengalpet District.

2.Palani

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to call for the records relating to the first information report in Crime No.222 of 2023 on the file of the first respondent and quash the same.

For Petitioners : Mr.G.Mageshkumar

For Respondent-1 : Mr.A.Gopinath, GA (Crl.Side)



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ORDER

WEB COPY This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.222 of 2023 on the file of the first respondent.

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 between themselves.

3. A joint compromise memo dated 28.8.2023 signed by (i) the father of the first petitioner, (ii) petitioners 2 to 4 and (iii) the second respondent has been filed before this Court. Separate affidavits dated 28.8.2023 have been filed by the father of the first petitioner, petitioners 2 to 4 and the second respondent before this Court. The petitioners and the second respondent are also present before this Court and they are identified by Mr.Mariyappan, Special Sub-Inspector of Police, Chithamur Police Station, Chengalpet District. In the affidavits, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.222 of 2023 on the file of the first



respondent. This Court has also enquired both the parties and is satisfied that the parties have arrived at 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 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.222 of 2023 on the file of the first respondent.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.222 of 2023 on the file of the first respondent is quashed. The terms of (a) the joint compromise memo dated 28.8.2023 signed by (i) the father of the first petitioner, (ii) petitioners 2 to 4



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and (iii) the second respondent and (b) the separate affidavits filed by the father of the first petitioner, petitioners 2 to 4 and the second respondent dated 28.8.2023 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, 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 matter under the caption 'for reporting payment of cost' on 10.10.2023.

26.9.2023
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Office to Note: Issue on 29.9.2023

Index : Yes/No
Speaking Order : Yes/No
Neutral citation : Yes/No

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N.ANAND VENKATESH,J

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To

- 1.The District Munsif-cum-Judicial Magistrate,
Cheyyur, Chengalpet District.
- 2.The Inspector of Police, Chithamur
Police Station, Chengalpet District.
- 3.The Public Prosecutor, High Court, Madras.

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