



WEB COPY



CrI.O.P.No.27303 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.27303 of 2022

1.T.Gunabalan
2.P.Balamurugan
3.K.Siva

... Petitioners

Vs.

1.The Inspector of Police,
Kumaratchi Police Station,
Kumaratchi,
Cuddalore District.

2.L.Vikraman

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.55 of 2021 pending on the files of the learned Judicial Magistrate II, Chidambaram and to quash the same and pass such further orders or other orders as this Court may deem fit.

For Petitioners	: Mr.S.S.Karthikeyan for M/s.Jury Brain Law Office
For R1	: Mr.Leonard Arul Joseph Selvam Government Advocate (CrI.Side)
For R2	: Mr.D.Palanisamy



Crl.O.P.No.27303 of 2022

WEB COPY

ORDER

This Criminal Original Petition has been filed to call for the records in C.C.No.55 of 2021 pending on the files of the learned Judicial Magistrate II, Chidambaram and to quash the same.

2. The allegations against the accused are that, on 06.04.2021 at about 11.30 am, accused in this case, in connection with previous enmity with the defacto complainant said to have scolded defacto complainant in filthy language and beaten him and made criminal intimidation against him. Learned counsel for the petitioners submitted that, the petitioners and 2nd respondent filed a Joint Compromise Memo dated 18.10.2022. It is stated in the Joint Compromise that, considering the welfare of both sides, parties have decided to resolve the dispute. Therefore, he seeks for quashing the C.C.No.55 of 2021 pending on the files of the learned Judicial Magistrate II, Chidambaram.

3. The learned Government Advocate (Crl.Side) submitted that, by passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



CrI.O.P.No.27303 of 2022

WEB COPY

4. A Joint Memo of Compromise dated 18.10.2022 has been filed before this Court, which have been signed by the petitioners and the second respondent and also by the learned counsel for the parties.

5. The petitioners and the second respondent were also present in person before this Court and they were identified by **Mr.Selvaraj, SI, Kumaratchi Police Station, Kumaratchi, Cuddalore District**. This Court also enquired both the parties and is satisfied that the parties have come to an amicable settlement between themselves. The second respondent answered this Court, that he had entered into a Memorandum of compromise with the petitioners and he has no objection for quashing the C.C.No.55 of 2021 pending on the files of the learned Judicial Magistrate II, Chidambaram.

6. Considering the fact that, the second respondent does not want to prosecute the case against the petitioners and that he has no objection for quashment of proceedings and also considering that the offences are



CrI.O.P.No.27303 of 2022

compoundable offence, no useful purpose will be served in keeping the proceedings in C.C.No.55 of 2021 pending on the files of the learned Judicial Magistrate II, Chidambaram.

7. 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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings in C.C.No.55 of 2021 pending on the files of the learned Judicial Magistrate II, Chidambaram.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.55 of 2021 pending on the files of the learned Judicial Magistrate II, Chidambaram against the petitioners is quashed and the terms of joint compromise memo shall form part and parcel of this order.

29.03.2023

Index:Yes/No
Speaking/Non speaking order
gd



CrI.O.P.No.27303 of 2022

WEB COPY

To

1.The Judicial Magistrate II,
Chidambaram.

2.The Inspector of Police,
Kumaratchi Police Station,
Kumaratchi,
Cuddalore District.

2.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.27303 of 2022

G.CHANDRASEKHARAN.J.,

gd

Crl.O.P.No.27303 of 2022

29.03.2023