



Crl.O.P.No.21635 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

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1. Sundararajan
2. Palaniammal
3. S.Balakrishnan
4. S.Muthukrishnan

.. Petitioners

Versus

1. State Rep. by Sub Inspector of Police,
Central Crime Branch, Egmore, Chennai.
(Crime No.546 of 2004)

2. Saraswathi

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the prosecution in C.C.No.234 of 2007 on the file of the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases, Egmore, Chennai - 600 008.

For Petitioners : Mr.N.Rajesh Kannan

For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor
for R1

: Mr.K.Subburam for R2



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ORDER

WEB COPY The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in C.C.No.234 of 2007 on the file of the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases, Egmore, Chennai 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 affidavit, dated 31.08.2023 of the second respondent / de-facto complainant and joint memo of compromise entered into between the parties have been filed before this Court. The parties are also present in person before this Court and they are identified by M/s.K.Sujatha, Sub-Inspector of Police, CCB Team-I. In the affidavit, it has been stated that the parties have entered into a compromise and amicably settled their issues in C.C.No.234 of 2007. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the case in C.C.No.234 of 2007 on the file of the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases, Egmore, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.234 of 2007 on the file of the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases, Egmore, Chennai is quashed and the terms of affidavit of the second respondent / de-facto complainant shall form part and parcel of this order. The petitioners shall pay a sum of Rs.750/- (Rupees Seven hundred and fifty only) each as costs, to the credit of the **Chairman, Advocate Clerks Association, Tirupattur, Vellore District (Indian Bank, Kacheri Street Branch, Tiruppattur A/c**



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No.485403938, IFSC Code:IDIB00T039, within a period of two weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6. Post this case under the caption "For Reporting Compliance" on 10.10.2023.

25.09.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

Note : Issue order copy on 27.09.2023.

To

1. The Metropolitan Magistrate
for Exclusive Trial of CCB Cases,
Egmore, Chennai - 600 008.
2. The Public Prosecutor,
High Court of Madras.
3. The Sub Inspector of Police,
Central Crime Branch,
Egmore, Chennai.



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N.ANAND VENKATESH, J.

grs

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