



Crl.O.P.No.22296 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.22296 of 2023

Sudhakar

...Petitioner

Vs.

1.State rep. by
The Deputy Superintendent of
Police, Denkanikottai Sub-Division,
Krishnagiri, Krishnagiri District.

2.The Inspector of Police,
Denkanikottai Police Station,
Krishnagiri District.

3.Sudharani

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to call for the records pending on the file of the Principal District and Sessions Judge, Krishnagiri, Krishnagiri District in S.C.No.221 of 2022 and quash the criminal proceeding.

For Petitioner : Mr.E.Kannadasan
For Respondents 1 & 2 : Mr.A.Gopinath, GA (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed by the petitioner seeking to quash the the proceedings in S.C.No.221 of 2022 on the file of the Principal District and Sessions Judge, Krishnagiri, Krishnagiri District.

2. The case is still at the stage of Investigation. 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 -NIL-/9/2023 signed by both the petitioner as well as the third respondent has been filed before this Court. A separate affidavit dated -NIL-/9/2023 has been filed by the third respondent before this Court. The petitioner and the third respondent are also present before this Court and they are identified by Mr.D.Samikannu, Special Sub-Inspector of Police, Denkanikottai Police Station, Krishnagiri District. In the affidavits, it has been stated that the petitioner and the third respondent have entered into a compromise and amicably settled their issues in S.C.No. 221 of 2022 on the file of the Principal District and Sessions Judge,



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Krishnagiri, Krishnagiri District. 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 S.C.No.221 of 2022 on the file of the Principal District and Sessions Judge, Krishnagiri, Krishnagiri District.



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5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.221 of 2022 on the file of the Principal District and Sessions Judge, Krishnagiri, Krishnagiri District is quashed. The terms of (i) the joint compromise memo signed by the petitioner as well as the third respondent and (ii) the separate affidavit filed by the third respondent both dated -NIL-/9/2023 shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (Rupees one thousand and 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.

6. The learned counsel for the petitioner submitted that the petitioner had deposited a sum of Rs.1,00,000/- before the Principal Sessions Judge, Krishnagiri, while he was enlarged on bail by this Court in Crl A No.963 of 2022 by order dated 29.09.2023. In view of the fact that the criminal proceedings itself is quashed on the ground of compromise, the petitioner is



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permitted to file a memo before the concerned Court and seek for the withdrawal of the amount deposited by the petitioner and the concerned Court shall permit the petitioner to withdraw the amount with accrued interest if any.

Post this matter under the caption 'for reporting payment of cost' on 10.10.2023.

26.9.2023

Office to Note:
Issue on 29.9.2023

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N.ANAND VENKATESH,J

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Index : Yes/No

Speaking Order/Non-Speaking Order

Neutral citation : Yes/No

To

- 1.The Principal District and Sessions Court,
(Special Court for Exclusive Trial of
Cases under the SC & ST (POA) Act),
Krishnagiri, Krishnagiri District.
- 2.The District Munsif-cum-Judicial
Magistrate, Denkanikottai,
Krishnagiri District.
- 3.The Deputy Superintendent of Police,
Denkanikottai Sub-Division,
Krishnagiri, Krishnagiri District.
- 4.The Inspector of Police, Denkanikottai
Police Station, Krishnagiri District.
- 5.The Public Prosecutor, High Court, Madras.

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