



Crl.O.P.No.27630 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

**Crl.O.P.No.27630 of 2022
and Crl.M.P.No.16992 of 2022**

1. N.U.Alagiri
 2. G.Udhayasuriyan
 3. K.A.Santhi
 4. N.U.Manimegalai
 5. N.U.Vijay Raj
- .. Petitioners

Versus

1. The State by Inspector of Police,
All Woman Police Station,
Tiruttani,
Tiruvallur District.
 2. P.Nandhini
- .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to C.C.No.5 of 2022 on the file of the District Munsif-cum-Judicial Magistrate, Pallipattu, quash the same.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor



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for R1

: Mr.K.G.Senthil Kumar, for R2

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in C.C.No.5 of 2022 on the file of the District Munsif-cum-Judicial Magistrate, Pallipattu 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 10.11.2022 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 were also present in person before this Court. In order to identify the respective parties, they have also produced the copies of the Aadhaar Cards and the Aadhaar Cards are made part of the record. In the affidavit, it has been stated that the parties have entered into a compromise and amicably settled their issues in C.C.No.5 of 2022. 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.5 of 2022, pending on the file of the District Munsif-cum-Judicial Magistrate, Pallipattu.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.5 of 2022, pending on the file of the District Munsif-cum-Judicial Magistrate, Pallipattu is quashed and the terms of affidavit filed by the second respondent / de-facto complainant shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

10.08.2023



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Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

grs

To

1. The District Munsif-cum-Judicial Magistrate,
Pallipattu.
2. The Public Prosecutor,
High Court of Madras.
3. The Inspector of Police,
All Woman Police Station,
Tiruttani,
Tiruvallur District.



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N.ANAND VENKATESH, J.

grs

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