



Crl.O.P.No.31544 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.31544 of 2022

1.Hariharan
2.Sankar
3.Manaksha

... Petitioners

Vs.

1.The State rep. by
The Inspector of Police,
Siruppakkam Police Station,
Cuddalore District.

2.Senthilkumar

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C.,
to call for the records in C.C.No.259 of 2021 on the file of Judicial Magistrate
No.I, Virudhachalam and quash the same.

For Petitioners : M/S.T.Gnana Banu

For Respondent : Mr.S.Santhosh for R1
Government Advocate (Criminal side)



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ORDER

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This Criminal Original Petition has been filed to quash the proceedings in C.C.No.259 of 2021 pending on the file of the Judicial Magistrate No.I, Virudhachalam.

2. The learned counsel for the petitioners submitted that the petitioners 1, 2 and 3 and the second respondent are present before this Court. It is further submitted that the petitioners and the second respondent have resolved their dispute and the second respondent has no objection for quashing the same. Hence, the present petition has been filed.

3. The learned Government Advocate (Crl.Side) for the first respondent submitted that the case is at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves.

4. A Joint Memo of Compromise has been filed before this Court, which has been signed by the petitioners and the second respondent.



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5. The petitioners and the second respondent were also present in person before this Court and they were identified by **Mr.M.Venkatesan, Special Sub Inspector of Police, Sirupakkam Police Station**. 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 in order to maintain a healthy and peaceful life, he does not want to prosecute the case against the petitioners and he has no objection for quashing the proceedings in C.C.No.259 of 2021 on the file of the Judicial Magistrate No.I, Virudhachalam.

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 compoundable offence, no useful purpose will be served in keeping the proceeding in C.C.No.259 of 2021 pending.

7. In the light of the guidelines issued by the Hon'ble Apex Court in the case of **Gian Singh vs. State of Panjab and another** reported in (2012)10 SCC 303 and **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath**)



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reported in (2017)9 SCC 641, this Court in exercise of its jurisdiction under

Section 482 Cr.P.C., quashes the proceedings in C.C.No.259 of 2021.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.259 of 2021 pending, on the file of the learned Judicial Magistrate No.I, Virudhachalam is quashed and the terms of joint compromise memo shall form part and parcel of this order.

06.01.2023

shk

Index:Yes/No

Speaking/Non speaking order



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To

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1. The Judicial Magistrate No.I,
Virudhachalam.
- 2.The Inspector of Police,
Siruppakkam Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN.J.,

shk

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