



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP No.1380 of 2024

1.Saravana Balaharan
2.Dhamotharan
3.Bhavani
4.Subhashini
5.Gopika Devi

...Petitioners /Accused 1-5

.Vs.

1.State rep.by
Inspector of Police
W-30 All Women Police Station
Mangadu, Chennai-600 122.

1st Respondent
/ Complainant

2.R.Malini

..2nd respondent/ De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in CC.No.366 of 2023, pending trial on the file of the Judicial Magistrate -1, Poonamallee and quash the same and accept the compromise memo.

For Petitioners : Mr.M.Soundar Vijay Arul Ram

For Respondents : Mr..A.Gopinath
Government Advocate (Crl.Side)
for R1



This Criminal Original Petition has been filed seeking to quash the proceedings in CC.No.366 of 2023, pending trial on the file of the Judicial Magistrate -1, Poonamallee.

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. A Joint Compromise Memo dated 12.01.2024, signed by both the petitioners and the 2nd respondent/de facto complainant, has been filed before this Court. The petitioners and the second respondent/de facto complainant were also present in person before this Court. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. In the joint compromise memo, it has been stated that the petitioners and the respondent have entered into a compromise and amicably settled their issues in C.C.No.366 of 2023, pending trial on the file of the Judicial Magistrate -1, Poonamallee.

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 CrI 10***, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the proceedings in C.C.No.366 of 2023, pending trial on the file of the Judicial Magistrate -1, Poonamallee.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.366 of 2023, pending trial on the file of the Judicial Magistrate -1, Poonamallee, is quashed and the terms of Joint compromise memo shall form part and parcel of this order.

23.01.2024

Speaking Order/Non-Speaking Order

Index: Yes/No

Internet: Yes/No

kp

To

1.Inspector of Police
W-30 All Women Police Station
Mangadu, Chennai-600 122.

2. Judicial Magistrate -1,
Poonamallee.

3.The Public Prosecutor,
High Court of Madras,
Madras.

N.ANAND VENKATESH.J.,



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