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CrI.O.P.No.1383 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.1383 of 2024

1.N.Anbu
2.N.Ashok
3.Manoji

... Petitioners

Vs.

1.State of Tamil Nadu rep. by
The Inspector of Police
Portonovo Police Station,
Cuddalore District.

2.Pakkiri

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for records and quash the final report / charge sheet in C.C.No.44 of 2022 on the file of the District Munsif cum Judicial Magistrate at Portonovo, Cuddalore District.

For Petitioners : M/s.K.Sasindran
For Respondents : Mr.A.Gopinath for R1
Government Advocate (CrI. Side)

O R D E R

The criminal original petition has been filed seeking to call for the



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records pertaining to the proceedings in C.C.No.44 of 2022, pending on the file of the District Munsif cum Judicial Magistrate at Portonovo, Cuddalore District 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 Joint Memo of Compromise dated 18.01.2024 has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and they are made part of the record. In the Joint Memo of Compromise it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in C.C.No.44 of 2022. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.Under such circumstances, no useful purpose will be served in



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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 Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.44 of 2022 pending on the file of the District Munsif cum Judicial Magistrate at Portonovo, Cuddalore District.

5.This criminal original petition stands allowed and as a sequel, the proceedings in C.C.No.44 of 2022 on the file of the District Munsif cum Judicial Magistrate at Portonovo, Cuddalore District, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.1,000/- (each Rupees One Thousand Only) as costs, to the credit of the **President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157)**, within a period of one week from the date of receipt of a copy of this order and file a



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photocopy of the receipt along with a memo reporting compliance in the Registry.

N.ANAND VENKATESH,J.
pri

6.This criminal original petition is allowed.

24.01.2024

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The District Munsif cum Judicial Magistrate at Portonovo,
Cuddalore District.
- 2.The Inspector of Police
Portonovo Police Station,
Cuddalore District.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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