



CrI.O.P.No.2856 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.2856 of 2024

and

CrI.M.P.No.2037 of 2024

1.Thangaraj
S/o.Perumal

2.Suresh
S/o.Perumal

3.Palanivel
S/o.Ramalingam

4.Chinnarasu
S/o.Mannu

5.Karunamoorthy
S/o.Anandhan

... Petitioners

Vs.

1.The Inspector of Police,
Mangalam Police Station,
Thiruvannamalai.
Crime No.216 of 2013

2.Pandiyan
S/o.Mannan

... Respondents



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Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for records and quash the proceedings in S.C.No.87 of 2014 pending on the file of Subordinate Judge, Arni, Thiruvannamalai District.

For Petitioners : Mr.M.Selvam

For Respondents : Mr.A.Gopinath
Government Advocate [Crl.side] [R1]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in S.C.No.87 of 2014 pending on the file of Subordinate Judge, Arni, Thiruvannamalai District.

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 18.01.2024 signed by both parties and their respective counsel and affidavit of second respondent have been filed before this Court. The petitioners and second respondent were also present in person before this Court and they were identified by Mr.P.Krishnan, Special Sub-Inspector of Police, Mangalam Police



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Station. In the Joint Memo of Compromise and in the affidavit, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in S.C.No.87 of 2014 pending on the file of Subordinate Judge, Arni, Thiruvannamalai District. 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 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 proceedings in S.C.No.87 of 2014 pending on the file of Subordinate Judge, Arni, Thiruvannamalai District.



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5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.87 of 2014 pending on the file of Subordinate Judge, Arni, Thiruvannamalai District, is quashed and the terms of Joint Compromise Memo dated 18.01.2024 and the terms of affidavit shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty only) as costs, to the credit of the **President, Tamil Nadu Advocate's Clerk's Association, High Court Buildings, Madras, A/c No.484026006 IFSC Code:IDIB000M157**, 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. Consequently, connected miscellaneous petition is closed.

Post this case under the caption 'for reporting compliance' on 23.02.2024.

09.02.2024

Speaking Order/Non-speaking Order
Index : Yes/No
Neutral citation: Yes/No
gm



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To
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- 1.The Subordinate Judge,
Arni, Thiruvannamalai District.
- 2.The Inspector of Police,
Mangalam Police Station,
Thiruvannamalai.
Crime No.216 of 2013
- 3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

gm

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