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Crl.O.P. No. 3794 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2024

CORAM

THE HON'BLE MR. JUSTICE N. ANAND VENKATESH

CRL.O.P. No.3794 of 2024

and Crl MP Nos.2788 and 2789 of 2024

A.Mithun
S.Srinivasan

..Petitioners

Vs.

1. State rep. By the Inspector of Police,
(Law and Order),
K4, Anna Nagar Police Station,
Chennai 600 040

2. A.Vivin Rex

..Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal
Procedure Code to call for the entire records in CC.NO. 5157/2023 pending
before the Vth Metropolitan Magistrate Egmore Chennai and quash the
same.

For Petitioners	::	Mr.M. Mohanraj
For Respondents	::	Mr.A. Damodaran
		Additional Public Prosecutor



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ORDER

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The Criminal Original Petition has been filed seeking to quash the proceedings in CC.NO. 5157/2023, pending on the file of Vth Metropolitan Magistrate Egmore Chennai .

2. The case is still in 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 Memorandum of compromise dated 14.02.2024, signed by both the petitioners and the defacto complainant has been filed before this Court. The petitioners and the 2nd respondent/de facto complainant were also present in person before this Court. In the compromise memo, it has been stated that the petitioner and the 2nd respondent have entered into a compromise and amicably settled their issues in CC.NO. 5157/2023, pending on the file of Vth Metropolitan Magistrate Egmore Chennai.

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 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, quash the proceedings in CC.NO. 5157/2023, pending on the file of Vth Metropolitan Magistrate Egmore Chennai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC.NO. 5157/2023, pending on the file of Vth Metropolitan Magistrate Egmore Chennai, is quashed and the terms of Joint Memo of compromise dated 14.02.2024, shall form part and parcel of this order. Each petitioner shall pay a sum of Rs.1,500/- (Rupees one thousand and five hundred only) as costs, to the credit of the **President, Tamil Nadu Advocate's Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC**



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Code:IDIB000M157, within a period of two weeks from the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, the connected miscellaneous petitions are closed.

Post this case for reporting compliance on **09.03.2024**.

21.02.2024

Index : Yes/No

Speaking Order/Non-Speaking Order

Neutral citation : Yes/No

To

1. Vth Metropolitan Magistrate Egmore Chennai
2. State rep. By the Inspector of Police,
(Law and Order),
K4, Anna Nagar Police Station,
Chennai 600 040
3. The Public Prosecutor,
High Court, Madras.



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N. ANAND VENKATESH,J.

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