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CrI. O.P. No.3903 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.3903 of 2024

1. Rakesh @ Rakki @ Ram Swaroop S/o. Ravi
2. Jasmin Ramaya D/o. Jayaraman

... Petitioners

Vs.

- 1.The State Rep. by
The Inspector of Police,
Thiruvottiyur, Chennai District.

2. Lokesh Babu S/o. Swaminathan

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records and quash the proceedings in S.C. No.94 of 2021 on the file of the learned Sub Judge, Tiruvottiyur.

For Petitioner : Mr.R. Parthiban

For Respondents : Mr.A.Gopinath
Government Advocate (CrI. Side)
[for R1]
R. Maruthachalamuthu [for R2]



ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in S.C. No.94 of 2021 on the file of the learned Sub Judge, Tiruvottiyur.

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 Memo of Compromise dated 14.02.2024 signed by both petitioners and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. A compromise affidavits have also been filed by the second respondent/de-facto complainant and the petitioners/accused before this Court. In the affidavits 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.94 of 2021 on the file of the learned Sub Judge, Tiruvottiyur. 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



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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 case in S.C. No.94 of 2021 on the file of the learned Sub Judge, Tiruvottiyur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C. No.94 of 2021 on the file of the learned Sub Judge, Tiruvottiyur, is quashed and the terms of affidavit shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.2,000/- (Rupees Two 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 two weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

21.02.2024

Index : Yes/No

Internet : Yes/No

Speaking/Non-Speaking Order

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Crl. O.P. No.3903 of 2024

N.ANAND VENKATESH, J

mjs

To

1. The Sub Judge, Tiruvottiyur,
2. The Inspector of Police,
Thiruvottiyur, Chennai District..
32. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.3903 of 2024

21.02.2024