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Crl.O.P.No.4029 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.4029 of 2024

R.S.Suryavarsan

... Petitioner

Vs.

1. The State,
Represented by its
The Inspector of Police,
J-9, Thuraipakkam Police Station,
Adyar District.
(Crime No.594 of 2021)

2. Muthupandiyan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, to quash the charge sheet in C.C.No.1054 of 2023 pending trial before the learned Judicial Magistrate - II, Alandur for the alleged offences under Sections 29(b) and 324 of IPC.

For Petitioner : Mr.A.T.Anbu Kumar

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



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.1054 of 2023 pending on the file of the learned Judicial Magistrate - II, Alandur

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 12.02.2024 signed by both parties and affidavits of petitioner and second respondent have been filed before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by Mr.M.Vethaiyam, Sub-Inspector of Police, J-9 Thuraipakkam Police Station, Adyar District [9498164009]. In the Joint Memo of Compromise and in the affidavits, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.1054 of 2023



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pending on the file of the learned Judicial Magistrate - II, Alandur. 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.1054 of 2023 pending on the file of the learned Judicial Magistrate - II, Alandur.

5. This Criminal Original Petition stands allowed and as a sequel,



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the proceedings in C.C.No.1054 of 2023 pending on the file of the learned Judicial Magistrate - II, Alandur, is quashed and the terms of Joint Compromise Memo dated 12.02.2024 and the terms of affidavits shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,000/- (Rupees Thousand 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.

6. Post this case under the caption 'for reporting compliance' on 11.03.2024.

26.02.2024

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

vji



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To

1. The Inspector of Police,
J-9, Thuraipakkam Police Station,
Adyar District.
(Crime No.594 of 2021)
2. The learned Judicial Magistrate - II,
Alandur.
3. The Public Prosecutor,
High Court,
Madras.



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N.ANAND VENKATESH, J.

vji

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