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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.4591 of 2024

Mr.A.Krishnamurthy

...Petitioner/ 4th Accused

.Vs.

1.The State rep.by
Inspector of Police
Team 15, Central Crime Branch
Egmore, Chennai 600 008.

.. 1st Respondent/Complainant

2.Mrs.G.Geetha

.. 2nd Respondent/De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.5531 of 2023, pending trial on the file of the learned XI Metropolitan Magisterial, Saidapet, Chennai and to examine the same and quash the entire proceedings in C.C.No.5531 of 2023, in respect of the petitioners 4th accused and all further proceedings.

For Petitioner : Mr.G.Prabhakaran

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

Ms.D.Anitha for R2

ORDER

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This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.5531 of 2023, pending trial on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai.

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.

4. Affidavit of the 2nd respondent/De facto complainant dated 19.2.2024, has been filed before this Court. The petitioner and the second respondent/de facto complainant were also present in person before this Court. In the affidavit, 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.5531 of 2023, pending trial on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. 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 @**



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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, quash the proceedings in C.C.No.5531 of 2023, pending trial on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.5531 of 2023, pending trial on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai is quashed **only insofar as the petitioner (A4) is concerned** and the terms of affidavit of the 2nd respondent shall form part and parcel of this order. There shall be a direction to the Court below to proceed further with the case insofar as the **other accused persons** are concerned and complete the proceedings in C.C.No.5531 of 2023, pending trial on the file of the learned XI Metropolitan Magisterial, Saidapet, Chennai, as expeditiously as possible.

01.03.2024

Speaking Order/Non-Speaking Order
Index: Yes/No
Internet: Yes/No
kp



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N.ANAND VENKATESH.J.,

kp

To

1. Inspector of Police
Team 15, Central Crime Branch
Egmore, Chennai 600 008.
2. XI Metropolitan Magisterial Saidapet
Chennai.
3. The Public Prosecutor,
High Court of Madras,
Madras.

CRL.O.P No.4591 of 2024

01.03.2024