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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.5342 of 2024

1.B.Ashwin

2.B.Bharanika

.. Petitioners/ Accused 1 & 2

.Vs.

1.State rep.by
Inspector of Police
Coimbatore.

..Respondent/Complainant

(Crime No.800/2022)

2.Mr.S.Mohanraj

..2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.1488 of 2023, on the file of the Judicial Magistrate Court No.I, Coimbatore and quash the same.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.A.Gopinath
Government Advocate
for R1

Mr.Raj Kumar for R2



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ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.1488 of 2023, on the file of the Judicial Magistrate Court No.I, Coimbatore.

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. Joint compromise memo of the petitioners and 2nd respondent has been filed before this Court which has been signed by the petitioners and the 2nd respondent/de facto complainant and also by their respective counsel. In order to identify the respective parties they have also produced the copy of the Aadhaar Card is made part of the record. The petitioners and the 2nd respondent/de facto complainant were also present in person before this Court. In the joint compromise memo, it has been stated that the petitioners and the 2nd respondent have entered into a compromise and amicably settled their issues in C.C.No.1488 of 2023, on the file of the Judicial Magistrate Court No.I, Coimbatore.

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 Gujrat), this Court in



exercise of its jurisdiction under Section 482 Cr.P.C., to quash the proceedings in C.C.No.1488 of 2023, on the file of the Judicial Magistrate Court No.I, Coimbatore.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1488 of 2023, on the file of the Judicial Magistrate Court No.I, Coimbatore, is hereby quashed in **entirety** and the terms of Joint Compromise Memo shall form part and parcel of this order.

05.03.2024

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

To

- 1.The Inspector of Police
Coimbatore.
2. Judicial Magistrate Court No.I,
Coimbatore.
3. The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH,. J.

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