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Crl.O.P.No.8897 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2024

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8897 of 2024
and
Crl.M.P.No.6350 of 2024

Riyaz Ahamed

...Petitioner/
Accused

-Vs-

Balasubramanian

...Respondent/
Complainant

Prayer: Criminal Original Petition has been filed under section 482 of Criminal Procedure Code to call for the records of the impugned proceedings pending in S.T.C.No.177 of 2021 on the file of the learned Judicial Magistrate Court, Fast Track Court, Magisterial Level, Attur, Salem District and quash the same and pass such further orders.

For Petitioner : Mr.W.Camyles Gandhi

ORDER

This petition is filed by the accused to quash the private complaint pending trial in S.T.C.No.177 of 2021 on the file of the learned Judicial Magistrate Court, Fast Track Court, Magisterial Level, Attur, Salem District.



Crl.O.P.No.8897 of 2024

2. Learned counsel appearing for the petitioner submits that on 14.09.2023, the parties entered into compromise and as per the terms of compromise, a partial complaint has already been done. However, since the complainant filed to return back the original documents, the petitioner, who is the accused, had withhold a further payment as per the terms of compromise and therefore seeks quash of the compromise. The Trial Court which has recorded the memo of compromise is proceeding with trial since the compromise has not been rectified.

3. This Court finds no reason to interfere with the progress of the trial since the parties have not complied with the terms of compromise. However, in future, if the parties arrive at any settlement, that may be taken note by the Court below for compounding the offence or to close the complaint as the case may be.

4. With the above observation, the Criminal Original Petition is disposed of. Consequently, connected criminal miscellaneous petition is closed.

12.04.2024

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Index : Yes/No



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To

The Judicial Magistrate Court,
Fast Track Court, Magisterial Level,
Attur, Salem District.



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Crl.O.P.No.8897 of 2024

DR.G.JAYACHANDRAN,J.

cda

Crl.O.P.No.8897 of 2024

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