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Crl.O.P.No.5500 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.5500 of 2024

B.Barani

.. Petitioner

Vs.

1.The Inspector of Police,
J6 Thiruvanmiyur Police Station,
Thiruvanmiyur,
Chennai District.

2.R.Amudha

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to S.C.No.153 of 2023 for the alleged offence under Section u/s. 341, 294(b), 307, 506(2) of IPC on the file of II Additional Sessions Judge, Chennai and quash the same by allowing the present Criminal Original Petition.

For petitioner	:	Mr.T.Dharani
For R1	:	Mr.A.Gopinath
		Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed to call for the records



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relating to the case in S.C.No.153 of 2023 on the file of II Additional Sessions Judge, Chennai and quash the same.

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.The Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the 2nd respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.C.Shankar, SSI, J-6, Thiruvanmiyur Police Station, Chennai (Mobile No. 79045 36985). In the Joint Memo of Compromise it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in S.C.No.153 of 2023. 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



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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 Cr1 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in S.C.No.153 of 2023 pending on the file of II Additional Sessions Judge, Chennai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.153 of 2023 pending on the file of II Additional Sessions Judge, Chennai is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty 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 one week from the date of receipt of a copy of this order



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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 25.03.2024.

06.03.2024

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

NOTE: Issue order copy on 13.03.2024.

To

- 1.The II Additional Sessions Judge,
Chennai.
- 2.The Inspector of Police,
J6 Thiruvanmiyur Police Station,
Thiruvanmiyur,
Chennai District.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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N.ANAND VENKATESH, J.

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