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Criminal Original Petition No.6735 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.6735 of 2024

1.Mohammed Ali
S/o.Altaf Darvesh

2.Arn timer Chauhan
S/o.Rajiv Chauhan

... Petitioners

Vs.

1.State of Tamil Nadu
represented by its
Inspector of Police
Traffic Investigation Wing,
Anna Square Police Station,
Chennai - TIW East District.
Crime No.168 of 2023

2.K.A.Harinath
S/o.Anandh

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records relating to C.C.No.537 of 2024 pending on the file of learned VI Metropolitan Magistrate, Egmore Unit, Chennai and quash the same.

For Petitioners : Mr.Kably Taiyab Kahn

For Respondents : Mr.A.Gopinath

Government Advocate (Crl.side) [R1]

M/s.P.B.Ramanujam Associates [R2]



Criminal Original Petition No.6735 of 2024

ORDER

WEB COPY This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.537 of 2024 pending on the file of VI Metropolitan Magistrate, Egmore Unit, 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.

3. A Joint Compromise Memo dated 22.08.2023 signed by both parties and affidavits of petitioners 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.V.Saravanan, Special Sub-Inspector of Police 18128, D6, Traffic Investigation Wing [90802 78556]. In the Joint Memo of Compromise and in the affidavits, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.537 of 2024 pending on the file of VI Metropolitan Magistrate, Egmore Unit, Chennai. This Court also enquired both the parties. This Court was satisfied that the parties have come to an



Criminal Original Petition No.6735 of 2024

amicable settlement between themselves.

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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.537 of 2024 pending on the file of VI Metropolitan Magistrate, Egmore Unit, Chennai.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.537 of 2024 pending on the file of VI Metropolitan Magistrate, Egmore Unit, Chennai, is quashed and the terms of Compromise Memo and the terms of affidavits shall form part and parcel of this order. Each of the petitioner shall pay a sum of

N.ANAND VENKATESH, J.



Criminal Original Petition No.6735 of 2024

WEB COPY

Rs.5,000/- (Rupees Five Thousand only) as costs, to the credit of the gm

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.

Post this case under the caption 'for reporting compliance' on 12.04.2024.

28.03.2024

Speaking Order/Non-speaking Order

Index : Yes/No

Neutral citation: Yes/No

gm

To

1.The VI Metropolitan Magistrate,
Egmore Unit, Chennai.

2.The Inspector of Police
Traffic Investigation Wing,
Anna Square Police Station,
Chennai - TIW East District.
Crime No.168 of 2023

3.The Public Prosecutor,
High Court, Madras.

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