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Crl.O.P.No.25006 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.25006 of 2023

1.Anandhan
2.Nandhakumar
3.Vijaya Raghavan

... Petitioners

Vs.

State Represented by,
1.The Sub Inspector of Police
K-10, Koyambedu Police Station,
Koyambedu,
Chennai.
(in Crime No.1007 of 2016)

2.Muniyappan
3.Arumugam

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in C.C.No.5522 of 2017 pending on the file of the Vth Metropolitan Magistrate at Egmore, Chennai, quash the same.

For Petitioners : M/s.T.Selvam
For Respondents : Mr.A.Gopinath for R1
Government Advocate (Crl. Side)



Crl.O.P.No.25006 of 2023

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ORDER

The criminal original petition has been filed seeking to quash the proceedings in C.C.No.5522 of 2017 on the file of the V Metropolitan Magistrate at Egmore, 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.The Joint Memo of Compromise dated 11.10.2023 has been filed before this Court which have been signed by the petitioners and the respondents 2 and 3 and also by their respective counsel. The petitioners and the respondents 2 and 3 were also present in person before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and they are made part of the record. In the Joint Memo of Compromise it has been stated that the petitioners and the respondents 2 and 3 had entered into a compromise and amicably settled their issues in C.C.No.5522 of 2017. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



Crl.O.P.No.25006 of 2023

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 Vs. 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 case in C.C.No.5522 of 2017 pending on the file of the V Metropolitan Magistrate at Egmore, Chennai.

5.This criminal original petition stands allowed and as a sequel, the proceedings in C.C.No.5522 of 2017 on the file of the V Metropolitan Magistrate at Egmore, Chennai, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.750/- (each 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



Crl.O.P.No.25006 of 2023

N.ANAND VENKATESH,J.
pri

one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

15.02.2024

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The V Metropolitan Magistrate at Egmore,
Chennai.
- 2.The Sub Inspector of Police
K-10, Koyambedu Police Station,
Koyambedu,
Chennai.
(in Crime No.1007 of 2016)
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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