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Crl.O.P.No.6026 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.6026 of 2024

and

Crl.M.P.Nos.4389 & 4390 of 2024

Dr.R.Rupesh @ Rupesh Balamurugan

.. Petitioner

Vs.

1.The State Rep by,
The Sub Inspector of Police,
Traffic Police Station (North),
Puducherry.
(Crime No.57 of 2018)

2.K.Kalaimani

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records relating to STC.No.339 of 2018 on the file of the learned Judicial Magistrate-IV, Puducherry, quash the same.

For petitioner : Mr.K.Balaji

For R1 : Mr.M.V.Ramachandramurthy
Addl. Public Prosecutor (Pondy)

For R2 : Mr.S.Anburaja



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ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in STC.No.339 of 2018 on the file of the learned Judicial Magistrate-IV, Puducherry 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 Memo of Compromise has been filed before this Court which has been signed by the petitioner and the 2nd respondent. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.T.Saravanan, ASI, Traffic Police Station (North), Puducherry. In the 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 STC.No.339 of 2018. This Court also enquired both the parties and was satisfied that the parties have come to an 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 Cr1 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in STC.No.339 of 2018 on the file of the learned Judicial Magistrate-IV, Puducherry.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in STC.No.339 of 2018 on the file of the learned Judicial Magistrate-IV, Puducherry is quashed and the terms of Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2,500/- (Rupees Two Thousand and Five Hundred 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



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period of 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. Consequently, the connected Miscellaneous Petitions are closed.

6.Post this case under the caption 'For Reporting Compliance' on 28.03.2024.

14.03.2024

krk

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

NOTE: Issue order copy on 15.03.2024.

To

- 1.The Judicial Magistrate-IV,
Puducherry.
- 2.The State Rep by,
The Sub Inspector of Police,
Traffic Police Station (North),
Puducherry.
- 3.The Public Prosecutor,
Madras High Court, Chennai.



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N.ANAND VENKATESH, J.

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