



Crl.O.P No.26091 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.26091 of 2023
and Crl.MP.No.18141 of 2023

M.Palani

... Petitioner/Accused

.VS.

1.The State

Rep.by its Inspector of Police
F5, Choolaimedu Police Station
Chennai-600 094.

..1st Respondent /Complainant

(C.C.No.3686 of 2012)

2.K.Karthick

..2nd Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.3686 of 2012, pending on the file of the learned Metropolitan Magistrate No.XVII, Saidapet at Chennai and quash the same in favour of the petitioner.

For Petitioner : Mr.S.Selvanandam

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)
for R1

Mr.D.Hariprasad
for R2



CrI.O.P No.26091 of 2023

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.3686 of 2012, pending on the file of the learned Metropolitan Magistrate No.XVII, Saidapet at Chennai.

2. The case is still in 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 memo of Compromise, dated 01.11.2023, has been filed before this Court which have been signed by the petitioner and the 2nd respondent/de facto complainant and also by their respective counsel. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are made part of the record. 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 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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., to quash the proceedings in C.C.No.3686 of 2012, pending on the file of the learned Metropolitan Magistrate No.XVII, Saidapet at Chennai.



Crl.O.P No.26091 of 2023

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.3686 of 2012, pending on the file of the learned Metropolitan Magistrate No.XVII, Saidapet at Chennai, is hereby quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1000/- (Rupees one thousand only) as costs, to the credit of the **President, Tamil Nadu Advocate's Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157),** within a period of two weeks from the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petition is closed.

6.Post this case for reporting compliance on **23.01.2024.**

02.01.2024

Note: **Issue order copy on 5.1.2024**

Index : Yes/No

Speaking Order/Non-Speaking Order

Neutral citation : Yes/No

KP

