



CrI.O.P No.26987 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.26987 of 2023

1.Suresh Kumar
S/o.Rajendiran

2.Kanagaraj
S/o.Sekar

3.A.R.Supriya @ Divya
W/o.Ravichandiran

... Petitioners

VS.

1.The State represented by
The Inspector of Police,
Katpadi Police Station,
Vellore District.

2.Ambiga
W/o.Selvakumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pending on the file of Judicial Magistrate, Katpadi, Vellore District, in PRC No.9 of 2021 and quash the criminal proceedings.



CrI.O.P No.26987 of 2023

For Petitioners : Mr.E.Kannadasan
For Respondents : Mr.A.Gopinath
Government Advocate [CrI.side][R1]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in PRC No.9 of 2021 pending on the file of Judicial Magistrate, Katpadi, Vellore District.

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 16.11.2023 signed by both parties and affidavits of petitioners and second respondent have been filed before this Court. The petitioners and second respondent were also present in person before this Court. 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 PRC No.9 of 2021



CrI.O.P No.26987 of 2023

pending on the file of Judicial Magistrate, Katpadi, Vellore District. 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)** 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 case in PRC No.9 of 2021 pending on the file of Judicial Magistrate, Katpadi, Vellore District.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in PRC No.9 of 2021 pending on the file of Judicial Magistrate, Katpadi, Vellore District, is quashed insofar as the petitioners



CrI.O.P No.26987 of 2023

WEB COPY

herein [A1, A2 & A7] are concerned and the terms of Joint Compromise Memo dated 16.11.2023 and the terms of affidavits shall form part and parcel of this order. The petitioners 1 and 3 shall pay a sum of Rs.3,000/- (Rupees Three Thousand only) each, as costs, to the credit of the **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.

6. The proceedings in PRC No.9 of 2021 on the file of Judicial Magistrate, Katpadi, Vellore District, as against the other accused shall go on.

Post this case under the caption 'for reporting payment of cost' on 18.01.2024.

03.01.2024

Note : Issue order copy by 05.01.2024

Index : Yes/No

Speaking Order/Non-Speaking Order

Neutral citation : Yes/No

gm



CrI.O.P No.26987 of 2023

WEB COPY

To

- 1.The Judicial Magistrate,
Katpadi, Vellore District.
- 2.The Inspector of Police,
Katpadi Police Station,
Vellore District.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



WEB COPY



Crl.O.P No.26987 of 2023

N. ANAND VENKATESH., J

gm

Crl.O.P No.26987 of 2023

03.01.2024