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Crl.O.P.No.557 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.557 of 2024

1.Sarath Chandra Gupta
2.Sarvendra Gupta
3.Bhagya Lakshmi
4.S.Vani

... Petitioners

Vs.

1.State Rep. by
The Assistant Commissioner of Police
Anna Nagar Circle
Chennai 600 040
Crime No.14 of 2021

2.M.Venmani

... Respondents

PRAYER: The Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in Spl.S.C.No.146 of 2023 on the file of the learned Principal Sessions Court, Chennai, compromise and quash the same by recording the joint compromise Memo dated 28.11.2023 entered into between the petitioners and the 2nd respondent.

For Petitioner : Mr.N.Manoharan

For Respondents : Mr.A.Gopinath
Govt. Advocate (Crl. Side) - R1

M/s.P.Rajendran & D.Veerakumar - R2



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ORDER

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The Criminal Original Petition has been filed to quash the Spl.S.C.No.146 of 2023, pending on the file of the Principal Sessions Court, Chennai.

2. The case is still at the stage of trial. the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.The Affidavit dated 28.11.2023 has been filed by the petitioners and the 2nd respondent/de-facto complainant before this Court. In the affidavit it has been stated that the petitioners and the 2nd respondent have entered into a compromise and amicably settled their issues pending in Spl.S.C.No.146 of 2023. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. **Mrs.S.Ameedha, W7, Inspector of Police, Cell No.7598712671 who was also present at the time of hearing before this Court to identify the parties.** The respective parties have also produced the copies of the Aadhaar Card and it is made part of the record.

4. Under such circumstances, no useful purpose will be served in



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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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case pending in Spl.S.C.No.146 of 2023, on the file of the learned Principal Sessions Judge, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.146 of 2023, on the file of the learned Principal Sessions Judge, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order. [The petitioners shall separately pay a sum of Rs.1,500/- (Rupees One Thousand Five Hundred only) each as costs, to the credit of **“Tamil Nadu Advocate Clerk Association, High Court Madras, Indian Bank High Court Branch SB.A/c.No.484026006, IFSC Code No.IDIB000M157”**, within a period

N. ANAND VENKATESH, J.



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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].

10.01.2024

Index : Yes/No
Neutral Citation

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To

1.The Assistant Commissioner of Police
Anna Nagar Circle
Chennai 600 040
Crime No.14 of 2021

2.The Public Prosecutor
High Court of Madras
Chennai 600 104

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