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Crl.O.P.No. 8343 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

Crl.O.P.No. 8343 of 2024

1.P. Ashok Kumar
2.Sathish Kumar
3.Ukkaravel

.. Petitioners

Versus

1.State Represented by its
The Station House Officer
District Crime Branch
Cuddalore District
[Crime No. 4 of 2010]

2.K.Ashok Kumar

..Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, prays to call for the records in C.C.No. 38 of 2012 pending on the file of the Judicial Magistrate No.III, Cuddalore.

For Petitioners : Mr.K. Gandhi Kumar

For R1 : Mr.K.M.D. Muhilan
Government Advocate [Crl. Side)



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ORDER

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This Criminal Original Petition has been filed to quash the C.C.No. 38 of 2012 on the file of the Judicial Magistrate No.III, Cuddalore, thereby taken cognizance for the offences under Sections 423, 467, 468, 471 and 477 of IPC.

2. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court, which has been signed by the petitioners and the defacto complainant and also by the learned counsel for the petitioners. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card the same is 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.



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

keeping the proceeding 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., quashes the proceeding in C.C.No. 38 of 2012 pending trial on the file of the Judicial Magistrate No.III, Cuddalore.

5. In view of the above, the proceeding in C.C.No. 38 of 2012 on the file of the Judicial Magistrate No.III, Cuddalore, is hereby quashed. The terms of the Joint Memo of Compromise shall form part and parcel of this Order. The petitioners have paid a sum of Rs. 10,000/- (Rupees Ten Thousand only) as costs to the Chief Justice Relief Fund, Tamil Nadu and filed a receipt along with a memo.

6. Accordingly, the Criminal Original Petition stands allowed.

03.03.2025

Index:Yes/No
Neutral Citation/Yes/No
MSM



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To

1.The Judicial Magistrate No.III, Cuddalore.

2. The Station House Officer
District Crime Branch
Cuddalore District

3.The Public Prosecutor,
High Court of Madras.



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G.K. ILANTHIRAIYAN, J

MSM

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