



Crl.O.P.No.28333 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.28333 of 2023
and Crl.M.P.Nos.19686 and 19688 of 2023

Benjamin
S/o.Late Moses, No.2/124, Peria Mutharasi Kuppam
(Village And Post), Via Slrs, Katpadi Taluk,
Vellore District - 632 106.

... Petitioner

Vs.

1. The State By
Inspector Of Police, T-1, Ambattur Police Station,
Ambattur, Chennai - 600 053.
- 2.Gomathy
W/o.R.V.Ganesan, No.6/9, 12th Street, K.K.Road,
Venkatapuram, Ambattur, Chennai - 600 053.

... Respondents

PRAYER: The Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the records in C.C.No.664 of 2012 pending on the file of the Learned Judicial Magistrate at Ambattur, Chennai and quash the charge sheet.



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For Petitioner : M/s.S.Suresh

For Respondent(s): Mr.A.Gopinath Government
Government Advocate (Crl.Side)
Criminal Side for R1
Ms.S.S.Jayanthi for R2

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ORDER

This Criminal Original Petition has been filed by the petitioner to quash C.C.No.664 of 2012 on the file of the Judicial Magistrate at Ambattur, Chennai.

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

3. A Memorandum of Compromise, dated 07.01.2025, has been filed before this Court, which has been signed by the petitioner and the defacto complainant and also by their respective counsel. The parties are present and identified by their respective counsel and the Police. 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

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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 proceedings in C.C.No.664 of 2012 pending trial on the file of the learned Judicial Magistrate at Ambattur at Ambattur, Chennai.

5. In view of the above, the proceedings in C.C.No.664 of 2012 on the file of the learned Judicial Magistrate at Ambattur, Chennai, is hereby quashed as against the petitioner alone. The Trial Court is directed to proceed with the trial as against the other accused persons. The terms of Memorandum of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/-, (Rupees Five Thousand only) as costs, to the Chief Justice Relief Fund, Tamil Nadu, within a 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.



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Consequently, connected miscellaneous petitions are closed.

21.02.2025

ASI

To

1. The Judicial Magistrate, Ambattur, Chennai.
2. The Inspector Of Police, T-1, Ambattur Police Station,
Ambattur, Chennai - 600 053.
3. The Public Prosecutor,
High Court of Madras, Chennai.



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G.K.ILANTHIRAIYAN, J.

ASI

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