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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.18071 of 2019

&

CrI.M.P.No.9145 of 2019

K.S.Udhayakumar

..Petitioner/Accused

Vs.

1. The State Rep. by
Inspector o f Police,
All Women Police Station,
Avinashi, Thiruppur District
(Crime No.3 of 2019)

2. M.Karthikapriyadharshini ..Respondents/Complainant &
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the charge sheet in C.C No.260 of 2019 on the file of the Judicial Magistrate, Avinashi, for the alleged offences and 4 TN Prohibition of Harassment of Women Act 2002 u/s.294(b), 323, 354A(ii), 506(i) IPC and quash the same.

For Petitioner : Mr. S.Jaganathan
For 1st Respondent: Mr. M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in C.C No.260 of 2019 on the file of the Judicial Magistrate, Avinashi, for the alleged offences u/s.294 (b), 323, 354A(ii), 506(i) of IPC.

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. The Affidavit dated 17.07.2019 has been filed by the second respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present in person before this Court. In order to identify the respective parties, they have also produced the copy of the Aadhaar Card 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.

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. quashes the proceedings in C.C No.260 of 2019 on the file of the Judicial Magistrate, Avinashi,

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C No.260 of 2019 on the file of the Judicial Magistrate, Avinashi, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1, 500/- (Rupees one thousand five hundred only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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. Consequently, the connected Miscellaneous Petition is closed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Judicial Magistrate,
Avinashi.

2. Do Thro The Chief Judicial Magistrate
Coimbatore.

3. The Inspector o f Police,
All Women Police Station,
Avinashi, Thiruppur District

4. The Public Prosecutor,
High Court,
Madras.



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5.The Section officer
Accounts Section
High Court, Madras 104.

6.The Section officer
Criminal Section
High Court, Madras 104.
(for reporting compliance)

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&
Cr1.M.P.No.9145 of 2019

JP(CO)
SP(22/08/2019)