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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2019

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.No.33517 of 2019

and

Crl.M.P.No.18493 of 2019

Rahamathullah

...Petitioner

Vs.

1.The State, Rep.by
Sub-Inspector of Police
F-2, Egmore Police Station
(Law & Order)
Egmore, Chennai 600 008.
(Crime No.564 of 2014)

2.Mahaboob Beevi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the case in C.C.No.57 of 2017 on the file of the learned Mahila Court, Egmore, Chennai 600 008 in Crime No.564 of 2014 on the file of the first respondent police and quash the same.

For Petitioner : Mr.S.Sabarish

For Respondent : Mr.M.Mohamed Riyaz for R1
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in C.C.No.57 of 2017 on the file of the learned Mahila Court, Egmore, Chennai 600 008 in Crime No.564 of 2014 on the file of the first respondent police and quash the same.

2. Based on the complaint lodged by the second respondent, an FIR has been registered in Crime No.564 of 2014 under Sections 341, 294(b), 324 and Section 4 of Tamil Nadu Harassment of Woman Act. After investigation charge sheet has been filed under Sections 341, 294(b), 323, 354 and 506(i) IPC. Based on the said charge sheet the learned Mahila Court (Magistrate level) has taken the case on file in C.C.No.57 of 2017.



of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A joint memo of Compromise, dated 05.12.2019, has been filed before this Court which has been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent also present in person before this Court and they have been identified by their identity proof. This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves.

5. 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Case in C.C.No.57 of 2017 pending on the file of the learned Mahila Court, Egmore, Chennai 600 008.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.57 of 2017 pending on the file of the learned Mahila Court, Egmore, Chennai 600 008 is hereby quashed and the Memo of Compromise shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (J)

//True Copy//

Sub Assistant Registrar

Encl: Xerox Copy of Memo of Compromise

dna

To

1.The Sub-Inspector of Police
F-2, Egmore Police Station
(Law & Order)
Egmore, Chennai 600 008.
(Crime No.564 of 2014)

2.The Mahila Court, Egmore,
Chennai.



3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Sabrish, Advocate, S.R.No.106396

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GN(23/01/2020)