



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.20565 of 2021

1. Sudhakar, Male/41 years,
S/o.Kolappan,
2 B, Bharath Rathna Rajiv Nagar Main Road,
Pudur, Ambattur,
Chennai 600 053.
2. Anushya, Female/60 years,
W/o.Kolappan,
2 B, Bharath Rathna Rajiv Nagar Main Road,
Pudur, Ambattur,
Chennai 600 053.
3. Kolappan, Male/65 years,
S/o.Subbaiah,
2 B, Bharath Rathna Rajiv Nagar Main Road,
Pudur, Ambattur,
Chennai 600 053.
4. Rajalakshmi, Female/35 years,
S/o.Murugan,
Kaveri Nagar,
Porur, Chennai.

...Petitioners

-Vs-

1. State by:
The Inspector of Police,
All Women Police Station,
Ambattur, Chennai 600 041.
2. Brinda Sakthisri, Female/34 years,
D/o.Panneerselvam,
No.121, West Sivan Koil Street,
Old No.1 to 35,
Vadapalani,
Chennai.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.83 of 2020, pending on the file of Judicial Magistrate,



Ambattur and quash the same.

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For Petitioners: Ms.Gajalaskshmi Rajendran
For Respondents: Mr.A.Damodaran (for R1)
Additional Public Prosecutor

Mr.V.Vargees Amal Raja (for R2)

O R D E R

This petition has been filed to call for the records in C.C.No.83 of 2020, pending on the file of the learned Judicial Magistrate, Ambattur and quash the same.

2.The case is still at 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 16.08.2021 has been filed by the 2nd Respondent/defacto complainant before this Court. The 2nd Respondent and Petitioner present through Video conferencing. In the affidavit stating about the compromise, the 2nd Respondent/Defacto complainant giving her consent to quash the final report as the matter is compromised. It has been stated in the affidavit that the parties have filed O.P.No.1816 of 2021, before the learned 1st Additional Family Court, Chennai on the ground of mutual consent. It has been further submitted by the parties that with regard to the sreeethana articles the same has been settled before the Family Court. 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), and after exercising due caution as advised by the Hon'ble Supreme Court in the case of The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the case in C.C.No.83 of 2020, pending on the file of the learned Judicial Magistrate Court, Ambattur.

5.The Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.83 of 2020, pending on the file of the learned Judicial Magistrate Court, Ambattur, is



quashed and the terms of affidavit shall form part and parcel of this order.

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Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The learned Judicial Magistrate,
Ambattur
2. The Inspector of Police,
All Women Police Station,
Ambattur, Chennai 600 041.
3. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.20565 of 2021

PA (CO)
RGA(26/11/2021)