

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.33957 of 2019
and Crl.M.P No.18745 of 2019

Sendhilkumar

Petitioner/Accused

vs.

1. State Rep. By
The Station House Officer,
All Womens Police Station,
Puducherry.
(CC No.1230 of 2019)

2. Mrs.T.Veronica Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.1230 of 2019 pending on the file of the Chief Judicial Magistrate, Puducherry and quash the same.

For Petitioner : Mr.V.S.Senthilkumar

For Respondents: Mr.M.Mohammed Riyaz
Additional Public Prosecutor for R1
Mr.J.V.Jhonson Yuvaraj for R2

ORDER

The Criminal Original Petition has been filed to call for the records in C.C.No.1230 of 2019 pending on the file of the Chief Judicial Magistrate, Puducherry and quash the same.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The affidavit dated 17.12.2020 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present through Video conferencing and they were identified by Ms.Chithra, Sub Inspector of Police, Station House Officer, All Womens Police Station, Puducherry, who was also present at the time of hearing through Video conferencing. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their

issues in Crime No.1230 of 2019. 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 Gujrat), and after exercising due caution as advised by the Hon'ble Supreme Court in 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.1230 of 2019 pending on the file of the Chief Judicial Magistrate, Puducherry.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1230 of 2019, pending on the file of the Chief Judicial Magistrate, Puducherry, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

*Xerox copy of the Affidavit enclosed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Chief Judicial Magistrate, Puducherry
2. The Station House Officer,
All Womens Police Station,
Puducherry.
3. The Public Prosecutor,
High Court, Madras.

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and Cr1.M.P No.18745 of 2019

SSN(CO)
CB(12/02/2021)