



CrI.O.P No.2584 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2022

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THE HONOURABLE Ms. JUSTICE R.N.MANJULA

CrI.O.P No.2584 of 2021

and

CrI.M.P No.1402 of 2021

1.Khader Aslam @ Aslam Abdul Kadher Shatir
2.S.Kyrunissa @ Kyrunissa Syed Mohamed ... Petitioners

Vs.

1. State Represented by
The Inspector of Police,
W-5, AWPS-Vepery Police Station
Chennai.

2. Dr.Mubashira Mohamed Ajmal ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records in Crime No.3 of 2020 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.I.Abdul Basith

For Respondents : Mr.A.Damodaran for R1
Additional Public Prosecutor
Mr.Lakshana Ramakrishnan for R2



For M/s.Geetha Ramaseshan
ORDER

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This Criminal Original Petition has been filed, seeking to call for the records pertaining to Crime No.3 of 2020 on the file of the 1st respondent and quash the same as illegal.

2. It is submitted by the learned counsel for the petitioners and the 2nd respondent that the parties have amicably settled the dispute between themselves, through mediation. A copy of the terms of compromise has also been filed.

3. The 1st petitioner and the 2nd respondent are present today before this Court and identified by their respective counsel and Ms.A.Jaya Sudha, WSSI, W5 AWPS, Vepery, Chennai. The terms of compromise were read over to the parties and they accepted it to be correct and they agreed to it voluntarily without any coercion or influence. The 2nd petitioner is said to be suffering from illness and she is also staying with her son and the 2nd respondent's husband is at Dubai. Since the 2nd respondent herself has agreed to the terms of the settlement and the matter had arisen out of a



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family dispute, I feel it is appropriate to allow the parties to purchase peace, in accordance with the terms of compromise agreed between themselves. Since the allegations are personal in nature and it is purely a family dispute, the parties are allowed to compound the matter in accordance with the terms of settlement.

4. Under such circumstances, no useful purpose will be served in keeping the proceedings pending. Therefore, 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 power under Section 482 Cr.P.C. to quash the proceedings in Crime No.3 of 2020, on the file of the 1st respondent.

5. In the result, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.3 of 2020 on the file of the 1st respondent, is quashed. The copy of the terms of Compromise shall form part of this Order. Consequently, connected Miscellaneous Petition is closed.

27.10.2022

Index : Yes/No



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Speaking Order : Yes / No
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R.N.MANJULA, J.,

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To

1. The Inspector of Police,
W-5, AWPS-Vepery Police Station
Chennai.
2. The Public Prosecutor,
High Court of Madras.

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and
Crl.M.P No.1402 of 2021**

27.10.2022