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Crl.OP.No.23426 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE V. SIVAGNANAM

Crl.O.P. No.23426 of 2022

Santha Kumar

... Petitioner

Vs.

1. State rep.by
Inspector of Police,
B1, North Beach Police Station,
Chennai.
(Crime No.678 of 2015)

2. Suraiya Begam

3. Barkath Nisha

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to quash the proceedings pending investigation in Crime No.678 of 2015 on the file of the Inspector of Police, B1, North Beach Police Station, Chennai.

For Petitioner : Mr.C.V. Kumar

For Respondents : Mr.S.Santhosh
Govt.Advocate (Crl.side) for R1

ORDER

This Criminal Original Petition has been filed to quash the proceedings pending investigation in Crime No.678 of 2015 on the file of the



Inspector of Police, B1, North Beach Police Station, Chennai.

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2. As the parties have decided to compromise the dispute amicably among themselves, they have filed the present petition to quash the proceedings in view of the compromise entered between the parties.

3. A joint memo of compromise has been filed before this Court which has been signed by the petitioner and the third respondent/victim girl. The petitioner and the third respondent/victim girl are present before this Court and they were identified by the Inspector of Police, North Beach Police Station, Chennai, who is also present at the time of hearing. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and it is made part of the record. In the petition it has been stated that the petitioner and the third respondent have entered into a compromise and amicably settled their issues in Crime No.678 of 2015. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves and now married and having three children.

4. It is clear from the above that no useful purpose of served by



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keeping the proceedings pending before the Court below. It will not be in the interest of any of the parties to keep the proceedings pending. Even though, the offence in question is non compoundable in nature, this Court in exercise of its jurisdiction under Section 482 of Cr.P.C. can interfere with the same in accordance with the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641- (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**. This Court is of the considered view that the proceedings will have to be quashed.

5. In the result, the proceedings in Crime No.678 of 2015 on the file of the Inspector of Police, B-1, North Beach Police Station, Chennai is hereby quashed and the Criminal Original Petition is allowed on the basis of the compromise arrived at between the parties. The terms of joint compromise memo shall form part and parcel of this order.

10.10.2022

Index:Yes/No
Speaking/Non speaking order
dpq



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To

1. The Inspector of Police,
B1, North Beach Police Station,
Chennai.
2. The Public Prosecutor,
High Court of Madras.



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V. SIVAGNANAM, J.

dpq

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