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Crl.O.P No.12304 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.12304 of 2023

Rahul Siraj
S/o.Sirajudheen

... Petitioner

vs.

1.State of Tamil Nadu
represented by
Inspector of Police,
All Women Police Station,
Guindy, Chennai - 60 0016.
Crime No.14 of 2022

2.Gulnas Begam
D/o.Abdul Kadhari

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the FIR in Crime No.14 of 2022 on the file of first respondent and quash the same.

For Petitioner : Ms.S.Nalini

For Respondents : Mr.A.Gopinath
Government Advocate [Crl.side][R1]
Mr.S.Deepak [R2]



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.14 of 2022 pending on the file of first respondent.

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. A compromise affidavit has been filed by the second respondent/de-facto complainant before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by Mrs.Arputham, WHC, W-21, All Woman Police Station, Guindy. In the affidavit it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.14 of 2022 pending on the file of first respondent. 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



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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 State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.14 of 2022 pending on the file of first respondent.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.14 of 2022 pending on the file of first respondent is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs, to the credit of the **President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157)**, within a period of two (2) weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

11.07.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm



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N. ANAND VENKATESH., J

gm

To

- 1.The Inspector of Police,
All Women Police Station,
Guindy, Chennai - 60 0016.
Crime No.14 of 2022
- 2.The Public Prosecutor,
High Court of Madras,
Madras.

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