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CrI.O.P No.5225 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.5225 of 2023

Jayasurya
S/o.Baskaran

... Petitioner

VS.

1.State represented by
The Inspector of Police,
W-16, All Women Police Station,
Pulianthope, Chennai - 600 012.
Crime No.3 of 2019

2.V.Ramya
W/o.Jayasurya

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Spl.S.C.No.71 of 2022 pending on the file of Sessions Judge [Magalir Neethimandram], Chennai and quash the same.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Mr.A.Gopinath
Government Advocate [CrI.side] [R1]

ORDER



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This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.71 of 2022 pending on the file of Sessions Judge [Magalir Neethimandram], Chennai.

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. A compromise affidavit has been filed by the second respondent/de-facto complainant before this Court. The petitioner and second respondent along with their son Ruthran, aged 1½ years, were also present in person before this Court and they were identified by Mrs.Rangeshwari, Sub-Inspector of Police, W-16 All Women Police Station, Puliyanthope, Chennai. It is also stated that the petitioner and second respondent have one other child, viz., Dhanusri. 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 Spl.S.C.No.71 of 2022 pending on the file of Sessions Judge [Magalir Neethimandram], Chennai. 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



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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 Gujraath)** 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 case in Spl.S.C.No.71 of 2022 pending on the file of Sessions Judge [Magalir Neethimandram], Chennai.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.71 of 2022 pending on the file of Sessions Judge [Magalir Neethimandram], Chennai is quashed and the terms of affidavit shall form part and parcel of this order.

11.07.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
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N. ANAND VENKATESH., J

gm

To

- 1.The Sessions Judge [Magalir Neethimandram],
Chennai
- 2.The Inspector of Police,
W-16, All Women Police Station,
Pulianthope, Chennai - 600 012.
Crime No.3 of 2019
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

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