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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.8859 of 2022
and CrI.M.P Nos.5156 &5157 of 2022

1.Srihari Daggudurty

2.Dhanalakshmi

Petitioners

vs.

1.State By: The Inspector of Police,
W-23, All Women Police Station,
Royapettah, Chennai.
(Crime No.02 of 2019)

2.Karthiga Thanasekaran

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.53 of 2021 on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai and quash the same.

For Petitioners : Mr.M.Ravi

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



ORDER

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The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in C.C.No.53 of 2021, pending on the file of XVIII Metropolitan Magistrate, Saidapet, Chennai and quash the same.

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. The Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the 2nd respondent and also by their respective counsel. The petitioners and the second respondent were also present through Video conferencing. In the joint compromise memo it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in C.C.No.53 of 2021. 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 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.53 of 2021, pending on the file of XVIII Metropolitan Magistrate, Saidapet, Chennai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.53 of 2021, pending on the file of XVIII Metropolitan Magistrate, Saidapet, Chennai is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

18.07.2023

Index : Yes/No

(2/2)

Internet : Yes/No

Speaking Order/Non-Speaking Order

SSR



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N. ANAND VENKATESH., J.

SSR

To

- 1.The XVIII Metropolitan Magistrate, Saidapet, Chennai
Egmore, Chennai.
- 2.The Inspector of Police,
W-23, All Women Police Station,
Royapettah, Chennai.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.8859 of 2022

**18.07.2023
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