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Crl.O.P No.12253 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.12253 of 2023

and

Crl.M.P.No.7465 of 2023

S.Vetriselvan,
S/o.Settu

... Petitioner/Accused

vs.

1.The State Represented by,
The Inspector of Police,
AWPS-Poonamallee Police Station
Ambattur, Tiruvallur District.

2.R.Susmitha
D/o.Ramesh

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for records relating to the First Information report in Crime No. 14 of 2022 on the file of the first respondent police/ the Inspector of Police, AWPS - Poonamallee Police Station, Ambattur, Tiruvallur District and quash the same.

For Petitioner : Mr.M.Palanivel
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]

ORDER



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This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.14 of 2022 on the file of the first respondent police on the ground that the matter has been compromised between the parties.

2. Heard Mr.M.Palanivel, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

3. The petitioner filed an anticipatory bail petition in Crl.O.P.No.17787 of 2022. Considering the facts of the case, this Court referred the parties for mediation before the Mediation and Conciliation Center attached to this Court. The petitioner and second respondent were able to reach a settlement and they also entered into a settlement of agreement dated 25.08.2022. The same was recorded by this Court while disposing the final orders in the anticipatory bail petition on 02.09.2022.

4. The second respondent was also present before this Court when the matter was taken up for hearing. She stated that she had an affair with the petitioner for long time and that she has decided to go ahead with her life. She



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further stated that she is not interested in further prosecuting this case.

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5. Taking into consideration the fact that a settlement was arrived at between the parties and the same has also been taken note of by this Court in Crl.O.P.No.17787 of 2022 dated 02.09.2022 and 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. Consequently, connected miscellaneous petition is closed.

09.08.2023

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,
AWPS-Poonamallee Police Station
Ambattur, Tiruvallur District.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.

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