



Criminal Original Petition No.16006 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED :19.07.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Criminal Original Petition No.16006 of 2023**

Dhayalan Mohanraji @ Sugumar  
S/o.Mohanraji

...Petitioner

Vs

State represented by  
1.The Inspector of Police,  
W-9 All Women Police Station,  
Villivakkam,  
Chennai – 600 049.

2.Vijaya  
W/o.Jayakumar

... Respondents

**PRAYER** : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records in Spl.S.C.No.179 of 2022, pending on the file of the Session Judge (Magalir Neethimandram) Allikulam and quash the same.

For Petitioner : Mr.H.Rambabu

For Respondents : Mr.A.Damodaran,  
Additional Public Prosecutor [R1]  
Mr.S.Arunkumar [R2]

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**ORDER**



This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.179 of 2022, pending on the file of the Sessions Judge (Magalir Neethimandram) Allikulam.

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 were also present in person before this Court and they were identified by Ms.R.Bhuvaneswari, WSSI (17007), W-9, All Woman Police Station, Villivakkam, Chennai [Mobile No.94981 28624]. 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.179 of 2022, pending on the file of the Sessions Judge (Magalir Neethimandram) Allikulam. 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



Criminal Original Petition No.16006 of 2023

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 Spl.S.C.No.179 of 2022, pending on the file of the Sessions Judge (Magalir Neethimandram) Allikulam.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.179 of 2022, pending on the file of the Sessions Judge (Magalir Neethimandram) Allikulam, is quashed and the terms of affidavit shall form part and parcel of this order.

**19.07.2023**

Index : Yes/No  
Speaking order: Yes/No  
Neutral citation: Yes/No  
gm

**N.ANAND VENKATESH, J**



Criminal Original Petition No.16006 of 2023

gm

To  
WEB COPY

- 1.The Sessions Judge (Magalir Neethimandram),  
Allikulam.
- 2.The Inspector of Police,  
W-9 All Women Police Station,  
Villivakkam,  
Chennai – 600 049.
- 3.The Public Prosecutor,  
High Court, Madras.

**Criminal Original Petition No.16006 of 2023**

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