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Criminal Original Petition No.15045 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.15045 of 2023

Gopalakrishnan
S/o.Chakarapani

...Petitioner

Vs

State represented through
1.The Inspector of Police,
W27, All Women Police Station,
Vadapalani, Chennai.
Crime No.03/2023

2.P.Veena
W/o.Gopalakrishnan

3.Ms.M.Ishwariya, WPC 53981,
W33, Virugambakkam All Women
Police Station,
Chennai.

... Respondents

[R3 *suo motu* impleaded by this Court
vide order dated 07.07.2023]

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records relating to C.C.No.747 of 2023 pending on the file of learned XXIII Metropolitan Magistrate, Saidapet, Chennai and quash the same.



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Criminal Original Petition No.15045 of 2023

For Petitioner : Mr.S.Vellidoss

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor [R1]
Ms.P.Veena [R2]

ORDER

Ms.M.Ishwariya, WPC 53981, W33, Virugambakkam All Women Police Station is *suo motu* impleaded as third respondent in the present petition.

2. The Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.747 of 2023 pending on the file of XXIII Metropolitan Magistrate, Saidapet, Chennai.

3. 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.

4. A compromise affidavit has been filed by the second respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present in person before this Court and they



were identified by Ms.M.Ishwariya, WPC 53981, W33, Virugambakkam All Women Police Station [Mobile:97876 29247]. 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 C.C.No.747 of 2023 pending on the file of XXIII Metropolitan Magistrate, Saidapet, 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 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.747 of 2023 pending on the file of XXIII Metropolitan Magistrate, Saidapet, Chennai.



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N.ANAND VENKATESH, J
gm

This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.747 of 2023 pending on the file of XXIII Metropolitan Magistrate, Saidapet, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order.

07.07.2023

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

To

- 1.The XXIII Metropolitan Magistrate,
Saidapet, Chennai.
- 2.The Inspector of Police,
W27, All Women Police Station,
Vadapalani, Chennai.
Crime No.3 of 2023
- 3.The Public Prosecutor,
High Court, Madras.

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