



Crl.O.P.No.16735 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.16735 of 2023

Jeeva @ Sridharmasastha

.. Petitioner

Versus

**1. The State Rep. by
Inspector of Police,
K-5, Peravallur Police Station,
Chennai District - 600 082.
(Crime No.258 of 2017).**

2. N.Bhuvaneshwari

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records pursuant to the S.C.No.73 of 2022 pending on the file of the learned II Additional Judge, City Civil Court, Chennai and quash the same by allowing this Criminal Original Petition.

For Petitioner : Mr.M.Mariappan

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



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Crl.O.P.No.16735 of 2023



Crl.O.P.No.16735 of 2023

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ORDER

The Criminal Original Petition has been filed to call for the entire records pursuant to S.C.No.73 of 2022 pending on the file of the learned II Additional Judge, City Civil Court, Chennai and quash the same by allowing this Criminal Original Petition.

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 affidavit of the second respondent / de-facto complainant and joint memo of compromise entered into between the parties have been filed before this Court. The parties are also present in person before this Court and they were identified by Mr.E.Saravanan, Sub-Inspector of Police, K-5 Peravallur Police Station Law and Order. In the affidavit, it has been stated that the parties have entered into a compromise and amicably settled their issues in S.C.No.73 of 2022. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

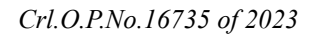


Crl.O.P.No.16735 of 2023

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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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the case in S.C.No.73 of 2022, pending on the file of the learned II Additional Judge, City Civil Court, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.73 of 2022, pending on the file of the learned II Additional Judge, City Civil Court, Chennai is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1000/- (Rupees One thousand only) as costs, to the credit of the **President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC**



27.07.2023

To

1. The II Additional Judge,
City Civil Court, Chennai.
2. The Public Prosecutor,
High Court of Madras.
3. The Inspector of Police,
K-5, Peravallur Police Station,
Chennai District - 600 082.



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Crl.O.P.No.16735 of 2023

N.ANAND VENKATESH, J.

grs

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