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Crl.O.P No.19014 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19014 of 2023

Sakthivel

S/o.Sakkappan

... Petitioner

vs.

1.State represented by
The Inspector of Police,
Panchapalli Police Station,
Dharmapuri.
Crime No.25 of 2019

2.Venkatesan

S/o.Munusamy

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records in Spl.S.C.No.12 of 2019 pending on the file of Mahila Court, Dharmapuri and quash the same.

For Petitioner : Mr.V.Johnson Yuvaraj

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

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.12 of 2019 pending on the file of Mahila Court, Dharmapuri.

2. The case is still at the stage of trial. By passage of time, the



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parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Compromise Memo dated 02.08.2023 signed both by the petitioner and the *de facto* complainant has been filed before this Court. 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 Mr.A.Ravichandran, Special Sub-Inspector of Police, Panchapalli Police Station, Dharmapuri [94981 69405]. 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.12 of 2019 pending on the file of Mahila Court, Dharmapuri. 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



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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.12 of 2019 pending on the file of Mahila Court, Dharmapuri.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.12 of 2019 pending on the file of Mahila Court, Dharmapuri, is quashed and the terms of Joint Compromise Memo dated 02.08.2023 and the terms of affidavit shall form part and parcel of this order.

22.08.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
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N. ANAND VENKATESH., J

gm

To

- 1.The Mahila Court,
Dharmapuri.
- 2.The Inspector of Police,
Panchapalli Police Station,
Dharmapuri.
Crime No.25 of 2019
- 3.The Public Prosecutor,
High Court of Madras.

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