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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.24197 of 2022

1. Anthony Francis

2. Margaret Rosali

3. Susan Lucia

Petitioners

vs.

1. The Inspector of Police,
All Women Police Station,
Erode (Crime No.10 of 2009)

2. V. Julie

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.230 of 2020 on the file of Additional Mahila Court (J.M. Level), Erode and quash the same.

For Petitioners : Mr.S.Arivazhagan

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



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ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in C.C.No.230 of 2020, pending on the file of Additional Mahila Court (J.M. Level), Erode and quash the same.

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 compromise affidavit has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present in person before this Court and they were identified by Ms.A.Kaliezhil, Grade I Police, All Women Police Station, Erode. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.230 of 2020. 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 Gujraath)**, 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 C.C.No.230 of 2020, pending on the file of Additional Mahila Court (J.M. Level), Erode.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.230 of 2020, pending on the file of Additional Mahila Court (J.M. Level), Erode is quashed and the terms of affidavit shall form part and parcel of this order.

18.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
SSR



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N. ANAND VENKATESH., J.

SSR

To

- 1.The Additional Mahila Court (J.M. Level), Erode.
Egmore, Chennai.
- 2.The Inspector of Police,
All Women Police Station,
Erode
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.24197 of 2022

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