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CrI.O.P No.17679 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.17679 of 2023

Chellammal
D/o.Chandiran

... Petitioner

vs.

1.The Inspector of Police,
Cuddalore New Town Police Station,
Cuddalore.
Crime No.1249 of 2020

2.Pradeep
S/o.Babu

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records pertaining to the First Information Report in Crime No.1249 of 2020 dated 29.11.2020 on the file of first respondent and quash the same as illegal since the matter has been settled outside the Court between the petitioner and second respondent amicably.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]
Mr.P.Vetrivel [R2]



CrI.O.P No.17679 of 2023

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.1249 of 2020 pending on the file of first respondent.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Compromise Memo dated 24.07.2023 signed by both parties 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. 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 Crime No.1249 of 2020 pending on the file of first respondent. 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



Cr.O.P No.17679 of 2023

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 FIR in Crime No.1249 of 2020 pending on the file of first respondent.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1249 of 2020 pending on the file of first respondent is quashed and the terms of affidavit shall form part and parcel of this order.

07.08.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm

To
1.The Inspector of Police,
Cuddalore New Town Police Station,
Cuddalore.
Crime No.1249 of 2020

2.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J

gm

Crl.O.P No.17679 of 2023

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