



CrI.O.P.No.18661 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.18661 of 2023

Mahasuritha

...Petitioner

vs.

1.State rep by
The Inspector of Police,
W27, All Women Police Station,
Vadapalani, Chennai 600 026

2.M.Divya

...Respondent

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records culminating in the imputned PRC.No.97 of 2023 now pending on the file of the learned XVII Metropolitan Magistrate at Saidapet and to quash the same as against the petitioner.

For Petitioner : Mr.N.Ganeshmurthy

For Respondent : Mr.Damodaran,

Additional Public Prosecutor, for R1



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ORDER

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The Criminal Original Petition has been filed to quash the proceedings in P.R.C.No.97 of 2023 pending on the file of the learned Metropolitan Magistrate No.XVII, Saidapet, Chennai.

2. Apart from raising various grounds on merits, one ground that has been stated in the petition is that the de-facto complainant had informed the respondent Police that she is withdrawing the complaint. A letter was also given by her in that regard to the first respondent. The said letter was also produced by M/s.V.Vaidegi, W.S.S.I of Police, W-27, All Women Police Station, Vadapalani.

3. When the matter is taken up for hearing today, the second respondent appeared through Video Conferencing and she has stated that the matter has been settled and that she is not interested in prosecuting the case against the petitioner.

4. In view of the above development, the continuation of the proceedings as against the petitioner will serve no purpose and the facts of the present case falls within the guidelines given by the Hon'ble Supreme Court reported in **(2017) 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath),**



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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 P.R.C.No.97 of 2023, pending on the file of the learned Metropolitan Magistrate No.XVII, Saidapet, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.97 of 2023, pending on the file of the learned Metropolitan Magistrate No.XVII, Saidapet, Chennai is quashed. The petitioner shall pay a sum of Rs.1000/- (Rupees one thousand only) as costs, to the credit of the ***President, Advocates Clerk Association, Ponneri, Thiruvallur District (The Kancheepuram Central Co-operative Bank Ltd., A/c No.717907005, IFSC Code:TNSC0010200)***, within a period of one week from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

17.08.2023

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



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To

1. The Metropolitan Magistrate No.XVII,
Saidapet, Chennai.
2. The Public Prosecutor,
High Court of Madras.
3. The Inspector of Police,
W-27, All Women Police Station,
Vadapalani, Chennai - 600 026.



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N. ANAND VENKATESH, J.

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