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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.18785 of 2023
and CrI.M.P Nos.12534 & 12535 of 2023

B.Syed Sulthan Ibrahim

Petitioner

vs.

1.State By: The Inspector of Police,
W-19, All Women Police Station,
Adyar, Chennai.
(Crime No.07 of 2022)

2.Mrs.Jameela Ratheena

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in C.C.No.1269 of 2023 on the file of the IX Metropolitan Magistrate, Saidapet and quash the same.

For Petitioner : Mr.I.Abdul Basith

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

M/s.K.N.Shanthi for R2



ORDER

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The Criminal Original Petition has been filed to call for the records relating to the case in C.C.No.1269 of 2023 on the file of the IX Metropolitan Magistrate, Saidapet 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 Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the 2nd respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court. In the joint compromise memo it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in C.C.No.1269 of 2023. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The next installment of Rs.3,00,000- (Rupees Three Lakhs only) paid by way of Demand Draft was handed over to the learned counsel for the 2nd respondent today.



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.1269 of 2023, pending on the file of IX Metropolitan Magistrate, Saidapet.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1269 of 2023, pending on the file of IX Metropolitan Magistrate, Saidapet is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

22.08.2023

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

(2/2)



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N. ANAND VENKATESH., J.

SSR

To

1. The IX Metropolitan Magistrate, Saidapet
Chennai.
2. The Inspector of Police,
W-19, All Women Police Station,
Adyar, Chennai.
3. The Public Prosecutor,
High Court of Madras,
Madras.

CrI.O.P No.18785 of 2023
and CrI.M.P Nos.12534 & 12535 of 2023

22.08.2023