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CrI.O.P No.19034 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 22.08.2023**

**CORAM**

**THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH**

**CrI.O.P No.19034 of 2023**

R.Madhan Raja  
C/o.S.Ramesh

... Petitioner

VS.

1.The State represented by  
The Inspector of Police,  
Kasimedu Police Station,  
Washermanpet, Chennai.  
Crime No.31 of 2022

2.M.Banumathy  
D/o.Mathiyazhakan

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records made in Crime No.31 of 2022 on the file of Inspector of Police, Kasimedu Police Station, Chennai, the first respondent herein and quash the same as illegal.

For Petitioner : Mr.D.Balaji

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

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**ORDER**



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This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.31 of 2022 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 10.08.2023 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.P.Chinnadurai, Sub-Inspector of Police, N2 Kasimedu Police Station [76049 73388]. 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.31 of 2022 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



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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 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 Crime No.31 of 2022 pending on the file of first respondent.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.31 of 2022 pending on the file of first respondent, is quashed and the terms of Joint Compromise Memo dated 10.08.2023 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  
gm



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**N. ANAND VENKATESH., J**

gm

To

1.The Inspector of Police,  
Kasimedu Police Station,  
Washermanpet, Chennai.  
Crime No.31 of 2022

2.The Public Prosecutor,  
High Court of Madras.

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**22.08.2023**