



Crl.O.P No.20198 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.20198 of 2023

A.L.Manikandan @ A.Manikandan
S/o.Alagappan

... Petitioner

VS.

1.State represented by
Inspector of Police,
W-27, All Women Police Station,
Vadapalani, Chennai - 26.

2.Prathiba @ Meenakshi
D/o.Swamynathan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.145 of 2017 on the file of Judicial Magistrate I, Poonamallee and quash the same.

For Petitioner : Ms.R.Thenamirtha Shyamala

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]
Mrs.K.Sumathi [R2]



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ORDER

WEB COPY This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.145 of 2017 pending on the file of Judicial Magistrate I, Poonamallee.

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. A Memo of Compromise dated 22.08.2023 signed by both parties and a consent affidavit of second respondent have been filed before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by Ms.N.Subitha, R9-Valasaravakkam, All Women Police Station [63815 55211]. 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.145 of 2017 pending on the file of Judicial Magistrate I, Poonamallee. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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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 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.145 of 2017 pending on the file of Judicial Magistrate I, Poonamallee.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.145 of 2017 pending on the file of Judicial Magistrate I, Poonamallee, is quashed and the terms of Memo of Compromise dated 22.08.2023 and the terms of affidavit shall form part and parcel of this order.

26.09.2023

Note : Issue order copy by 29.09.2023

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 Judicial Magistrate I,
Poonamallee.
- 2.The Inspector of Police,
W-27, All Women Police Station,
Vadapalani, Chennai - 26.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

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