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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19555 of 2023
and Crl.MP.No.13212 of 2023

Monish Issachar
S/o.Rajinish Issachar

.. Petitioner/Accused-Single Accused

VS.

1.State rep.by
The Inspector of Police
W.16-All Women Police Station
Pulianthose, Chennai.

.. 1st Respondent

2.Vijayalakshmi
W/o.Murugan

..2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the final report in Spl.SC.No.115 of 2023 dated 30.01.2023 on the file of the Magalir Neethimandram at Chennai.

For Petitioner : Mr.D.Baskaramn

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)
for R1

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.SC.No.115 of 2023 dated 30.01.2023, pending on the file of the Magalir Neethimandram , Chennai.



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 petitioner and the 2nd respondent were present in person before this Court and they were identified by Ms.Rangeshwari, (Mobile No.9498127538) WSSI, W16, AWPS Pulianthope, Chennai-600 012. It has been stated that the petitioner and the 3rd respondent have entered into a compromise and amicably settled their issues in Spl.SC.No.115 of 2023.

4.This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The victim girl was present before this Court. She stated that she married the petitioner on 02.1.2021 and there is a child through the marriage named Dhiyashree aged about 2 years. The child was also brought to the Court. She came along with her mother who is a *de facto* complainant. The mother of the victim girl stated that the victim girl is now living happily and that she does not want to prosecute this case. The petitioner was also present before this Court with her mother Shivani.

5. 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**

SCG 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath) and after



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exercising due caution as advised by the Hon'ble Suprme 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 Spl.SC.No.115 of 2023 dated 30.01.2023, pending on the file of the Magalir Neethimandram , Chennai.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.SC.No.115 of 2023 dated 30.01.2023, pending on the file of the Magalir Neethimandram, Chennai is quashed. Consequently, connected miscellaneous petition is closed.

01.09.2023

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

To

- 1.The Inspector of Police
W.16-All Women Police Station
Pulianthose, Chennai.
- 2.Magalir Neethimandram
Chennai.
- 3.The Public Prosecutor,
High Court, Madras.



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N. ANAND VENKATESH,, J.
kp

Crl.O.P No.19555 of 2023

01.9.2023