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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.19732 of 2023

Mr.Subhash

... Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
Walajabad Police Station,
Walajabad,
Kanchipuram District.

2.Sathypriya

...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 Crime No.61 of 2020 pending investigation on the file of the 1st respondent and quash the same with regard to the petitioner.

For Petitioners : Mr.K.G.Senthil Kumar

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

Mr.M.Kamalahasan for R2



ORDER

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This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.61 of 2020 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 Memo of Compromise dated 21.07.2023 signed by both petitioner and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. A compromise affidavit has also 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.B.Masthan, SSI, D-5, Salavakkam Police Station, Kanchipuram. 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.61 of 2020 pending on the file of first respondent.



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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 and she is stated that she is living happily with the petitioner as a joint family and there is a child through wedlock named as Dharshik aged about 2 ½ years. The child was also brought before this Court.

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 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 FIR in Crime No.61 of 2020 pending on the file of first respondent.



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N.ANAND VENKATESH, J

ssr

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.61 of 2020 pending on the file of first respondent is quashed and the terms of affidavit shall form part and parcel of this order.

31.08.2023

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

To

- 1.The Inspector of Police,
Walajabad Police Station,
Walajabad,
Kanchipuram District.
- 2.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.19732 of 2023