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Crl.O.P No.20251 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.20251 of 2023

Anantharaj

S/o.Dhayalan

... Petitioner/Accused

vs.

1.The State represented by

The Inspector of Police,

All Women Police Station – Panruti,

Cuddalore District.

(Crime No.24 of 2021)

2.Sarala

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Charge Sheet in in S.C.No.258 of 2022 pending before the Mahila Court, Cuddalore and quash the same as illegal since the matter has been settled amicably outside the Court between the petitioner and respondent No.2.

For Petitioner : Mr.V.Manikandan

For Respondent-1 : Mr.A.Damodaran
Additional Public Prosecutor

For Respondent-2 : Mr.P.Vetrivel



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ORDER

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The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in S.C.No.258 of 2022 pending on the file of the Mahila Court, Cuddalore 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. A Joint Memo of Compromise dated 22.08.2023 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 Ms.T.Sudarmathi, WSI, All Womaen Police Station, Panruti (Mob: 9498154994). In the affidavit it has been stated that the petitioner and the second respondent have entered into a compromise



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and amicably settled their issues in S.C.No.258 of 2022 pending on the file of the Mahila Court, Cuddalore.

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 S.C.No.258 of 2022 pending on the file of the Mahila Court, Cuddalore.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.258 of 2022 pending on the file of the Mahila Court, Cuddalore, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (Rupees One



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Thousand and Five hundred only), as costs, to the credit of the **President,**

Tamil Nadu Advocates Clerk Association, Salem, Indian Overseas Bank,

District Court Branch, Salem 7 A/c No.178001000000397, IFSC

Code:IOBA0001780, within a period of two weeks from today and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Post this case under the caption 'for reporting payment of cost' on

25.09.2023.

08.09.2023

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

rsi

Note: Issue order copy on 14.09.2023



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To

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- 1.The Inspector of Police,
All Women Police Station – Panruti,
Cuddalore District.
- 2.The Mahila Judge,
Cuddalore.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH, J.

rsi

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