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Crl.O.P.No.28147 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.28147 of 2022
and Crl.M.P.No.17315 of 2022

Ganesh Kumar

.. Petitioner

Versus

1. The State, represented by
Inspector of Police,
CBCID,
Vellore,
Vellore District.

2. Sai Prasanthi

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned F.I.R registered in Crime No.1 of 2021 on the file of Inspector of Police, CBCID, Vellore, Vellore District, the first respondent herein and quash the same as illegal.

For Petitioner : Mr.R.Sankarasubbu

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



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ORDER

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2. The case is still at the stage of investigation. The parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The affidavit dated 27.10.2022 of the second respondent / de-facto complainant has been filed before this Court. The petitioner and the second respondent along with her child Sai Pranav were also present in person before this Court and they were identified by M/s.S.Mahalakshmi, Inspector of Police, CBCID, Vellore. The second respondent stated that she married another person named Praveen and she is living with him happily. She also stated that she does not want to prosecute this case. In the affidavit, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.1 of 2021. 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 First Information Report 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 Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 of Cr.P.C., quashes the First Information Report in Crime No.1 of 2021, on the file of the first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1 of 2021, on the file of the first respondent Police, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

20.07.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no



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N.ANAND VENKATESH, J.

grs

To

1. The Public Prosecutor,
High Court of Madras.
2. The Inspector of Police,
CBCID, Vellore,
Vellore District.

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20.07.2023