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CrI.O.P.No.30484 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.30484 of 2022

and

CrI.M.P.No.18653 of 2022

Aravindhan Sundar

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
Thiruverkadu Police Station,
Chennai.
Crime No.420 of 2022

2.S.Rekha

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records of the case in Crime No.420 of 2022, on the file of the respondent police, quash the same.

For Petitioner : M/s.S.V.Karthikeyan

For R-1 : Mr.S.Santhosh
Government Advocate (Criminal Side)

For R2 : Mr.S.Surya for M/s.a.S.Kailasam Associates



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ORDER

WEB COPY This Criminal Original Petition has been filed to call for the records of the case in Crime No.420 of 2022, on the file of the respondent police, quash the same.

2. Learned counsel for the petitioner submitted that petitioner and 2nd respondent filed a Joint Compromise memo dated 11.01.2023 stating that, they have entered into a compromise and 2nd respondent does not want to prosecute further with this case against the petitioner and she has no objection for quashing the case in Crime No.420 of 2022. She has also filed a consent affidavit for quashing the criminal case in Crime No.420 of 2022.

3. The learned Government Advocate (Crl.Side) submitted that 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.

4. The petitioner and the second respondent were also present in person before this Court and they were identified by **Mr.N.Sivakumar, Sub Inspector of Police, T5, Thiruverkadu Police Station**. When enquired, 2nd respondent

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reiterated that, in view of the settlement between her and the petitioner, she does not want to prosecute further with this case and has no objection for quashing Crime No.420 of 2022.

5. Considering the fact that the issue between the parties relates to matrimonial issue and that the second respondent does not want to prosecute the case against the petitioner, and that she has no objection for quashment of proceedings, no useful purpose will be served in keeping the proceedings pending in Crime No.420 of 2022 against the petitioner.

6. 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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings pending in Crime.No.420 of 2022 on the file of the respondent police against the petitioner.

7. Accordingly, this Criminal Original Petition stands allowed and as a



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sequel, the proceedings pending in Crime.No.420 of 2022, on the file of the respondent police against the petitioner is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, the connected Miscellaneous Petition is closed.

31.01.2023

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order

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To

1.The The Inspector of Police,
Thiruverkadu Police Station,
Chennai.

2. The Public Prosecutor,
Madras High Court.

G.CHANDRASEKHARAN,J.

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