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Crl.O.P.No.265 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

**Crl.O.P.No.265 of 2023
and Crl.M.P.No.102 of 2023**

Sathish Kumar

.. Petitioner

Versus

**1. The Inspector of Police,
J3 Guindy All Women's Police Station,
Guindy.**

2. Ganesan

3. Dhanalakshmi

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the case in Spl.S.C.No.29 of 2022 on the file of Mahila Court at Chennai.

For Petitioner : Mr.M.Nandha Kumar

**For Respondents : Mr.S.Santhosh
Government Advocate (Crl. Side)
for R1**

: Mr.V.Saranraj for R2



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ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in Spl.S.C.No.29 of 2022 on the file of Mahila Court at Chennai 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. The affidavit, dated 08.12.2022 of the second respondent / de-facto complainant and joint memo of compromise entered into between the parties have been filed before this Court. The parties along with the daughter of the petitioner and the third respondent namely, S.Prithvika Sree, aged 3 years, were also present in person before this Court and they were identified by M/s.A.Joy Nithya, WHC, All Women Police Station, Guindy. In the affidavit, it has been stated that the parties have entered into a compromise and amicably settled their issues in Spl.S.C.No.29 of 2022. 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 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 Spl.S.C.No.29 of 2022, pending on the file of the Mahila Court at Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.29 of 2022, pending on the file of the Mahila Court, Chennai is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

12.07.2023

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



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To

1. The Mahila Court,
Chennai.
2. The Public Prosecutor,
High Court of Madras.
3. The Inspector of Police,
J3 Guindy All Women's Police Station,
Guindy.



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N.ANAND VENKATESH, J.

grs

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