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Criminal Original Petition No.6037 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.6037 of 2024

and

Crl.M.P.No.4398 of 2024

Nizam Basha
S/o.Abdul Rahim

... Petitioner

Vs.

1.State represented by
The Inspector of Police,
All Women Police Station,
Melmaruvathur,
Chengalpet District.
Crime No.24 of 2023

2.Mallika
D/o.Bashircan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records in Crime No.24 of 2023 on the file of first respondent and quash the same.

For Petitioners : Mr.K.Govi Ganesan

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.side) [R1]



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ORDER

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This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.24 of 2023 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. The petitioner and second respondent were present in person before this Court and they were identified by Ms.P.Rajeshwari, WSSI (138), AWPS, Melmaruvathur [94981 46931]. It has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.24 of 2023 pending on the file of first respondent.

4. This Court also enquired both the parties. The victim girl stated that she married the petitioner and through the marriage, there is a child named Abdul Fazil, aged about 5 months. The child was also brought at



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the time of hearing. She requested this Court to close the criminal case considering the interest of all the parties concerned. This Court was satisfied that the parties have come to an amicable settlement between themselves.

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 First Information Report in Crime No.24 of 2023 pending on the file of first respondent.

This Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.24 of 2023 pending on the file of



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N.ANAND VENKATESH, J.

gm

first respondent, is quashed. Consequently, connected miscellaneous petition is closed.

15.03.2024

Speaking Order/Non-speaking Order

Index : Yes/No

Neutral citation: Yes/No

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To

1.The Inspector of Police,
All Women Police Station,
Melmaruvathur,
Chengalpet District.
Crime No.24 of 2023

2.The Public Prosecutor,
High Court, Madras.

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