



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 28.02.2024**

**CORAM**

**THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH**

**Crl.O.P No.9722 of 2023**  
**and Crl.MP.Nos.6359 & 6360 of 2023**

1.Syed Abuthahir

2.Mushira Banu

.. Petitioner/Accused 1 & 2

VS.

1.State rep.by

The Inspector of Police  
W1, All Women Police Station  
Thousand Lights  
Chennai 600 006.

..1<sup>st</sup> respondent/Complainant

2.Mrs.Irfana

..2<sup>nd</sup> Respondent/De facto Complainant

**PRAYER:** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pending in C.C.No.28 of 2022, on the file of the Court of Additional Mahila Metropolitan Magistrate Court, Egmore, Chennai for offences u/s.498-A r/w 34 IPC.

For Petitioner : Mr.C.Arun Kumar

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

Mr.S.Xavier Felix for R2

**ORDER**

WEB COPY

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.28 of 2022, on the file of the Court of Additional Mahila Metropolitan Magistrate Court, Egmore, Chennai.

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. Memorandum of Compromise dated 22.11.2023, filed by the petitioner and the 2<sup>nd</sup> respondent has been filed before this Court which has been signed by the petitioner and the 2<sup>nd</sup> respondent and also by their respective counsel. The petitioners and the 2<sup>nd</sup> respondent were also present in person before this Court. In the memorandum of compromise, it has been stated that the petitioners and the 2<sup>nd</sup> respondent have entered into a compromise and amicably settled their issues in C.C.No.28 of 2022, on the file of the Court of Additional Mahila Metropolitan Magistrate Court, Egmore, Chennai.

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 Cri***

**10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the proceedings in C.C.No.28 of 2022, on the file of the Court of Additional Mahila Metropolitan Magistrate Court, Egmore, Chennai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in in C.C.No.28 of 2022, on the file of the Court of Additional Mahila Metropolitan Magistrate Court, Egmore, Chennai, is hereby quashed and the terms of Memorandum of Compromise shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

**28.02.2024**

Index : Yes/No  
Internet : Yes/No  
Speaking Order/Non-Speaking Order  
kp

To

1. The Inspector of Police  
W1, All Women Police Station  
Thousand Lights  
Chennai 600 006.
- 2.Additional Mahila Metropolitan Magistrate Court,  
Egmore, Chennai.
3. The Public Prosecutor,  
High Court of Madras,  
Madras.



WEB COPY



4

**N. ANAND VENKATESH,, J.**

kp

**Crl.O.P No.9722 of 2023**

**28.02.2024**