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Crl.O.P.No.20904 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.20904 of 2023

And

Crl.M.P.No.14340 of 2023

Veeramurthy

... Petitioner

Vs.

1.State by

The Inspector of Police
Muthupettai Police Station,
Tiruvarur District.

2.S.Haleelrahman

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records pertaining to the proceedings in S.C.No.93 of 2022 on the file of the Sessions Judge Fast Track Mahila Court, Tiruvarur and quash the same in respect of the petitioner is concerned.

For Petitioners : M/s.N.Palanivel

For Respondents : Mr.A.Gopinath for R1

Government Advocate (Crl. Side)

O R D E R

The criminal original petition has been filed seeking to call for the records pertaining to the proceedings in S.C.No.93 of 2022,



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pending

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on the file of the Sessions Judge Fast Track Mahila Court, Tiruvarur 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 declaratory affidavit of the defacto complainant dated 09.07.2022 has been filed before this Court. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.P.Kanniyappan, Head Constable, Muthupettai Police Station, Thiruvarur. In the affidavit it has been stated that the petitioner has no role to play in the incident and the name of the petitioner must be dropped from the final report. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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

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Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai**

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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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in S.C.No.93 of 2022 pending on the file of the Sessions Judge Fast Track Mahila Court, Tiruvarur, only in so far as this petitioner is concerned.

5.This criminal original petition stands allowed and as a sequel, the proceedings in S.C.No.93 of 2022 on the file of the Sessions Judge Fast Track Mahila Court, Tiruvarur, is quashed only in so far as this petitioner is concerned and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred Only) as costs, to the credit of the **President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157)**, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting



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compliance in the Registry.

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6. There shall be a direction to the Principal District and Sessions Court, Tiruvarur, to proceed further with S.C.No.93 of 2022 with respect to the other accused persons and complete the proceedings, within a period of six months from the date of receipt of a copy of this order.

7. This criminal original petition is allowed. Consequently, the connected miscellaneous petition is closed.

24.01.2024

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1. The Sessions Judge, Fast Track Mahila Court,
Tiruvarur.
2. The Inspector of Police
Muthupettai Police Station,
Tiruvarur District.
3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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24.01.2024