



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA
Crl.O.P.(MD).No.4559 of 2017

and
Crl.M.P.(MD)Nos.3254 and 3255 of 2018

Sasikumar ... Petitioner/Sole accused

Vs.

1. The State through
The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.
In Crime No.79 of 2009. ...1st Respondent /Complainant

2.Ravikumar ...2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C. to call for the records pertaining to the case in P.R.C.No.10 of 2013 on the file of the learned Judicial Magistrate, Peraiyur, Madurai District and quash the same.

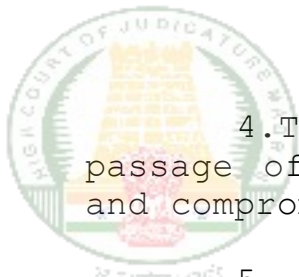
For Petitioners : Mr.R.Aravindraaj
For R1 : Mr.R.Anandharaj
Additional Public Prosecutor
For R2 : Mr.T.Vadivelan

O R D E R

This Criminal Original Petition has been filed to quash the proceedings P.R.C.No.10 of 2013 pending on the file of the learned Judicial Magistrate, Peraiyur, Madurai District.

2.The learned counsel for the petitioner would submit that the incident happened on 29.03.2009. At the time of occurrence, the victim was 17 years 10 months and 19 days. The victim has also stated that there was a love affair between the victim and the petitioner and she had voluntarily went along with the petitioner. The victim has also stated that she got married to the petitioner and they blessed with an male child.

3.The learned Additional Public Prosecutor would also submit that the petitioner and the daughter of the defacto complainant were in love with each other and they also eloped and later got married and blessed with a child.



4. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5. A Joint Memo of Compromise has been filed before this Court, which has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The victim girl, Suguna has also filed her supporting affidavit.

6. Under such circumstances, no useful purpose will be served in keeping P.R.C.No.10 of 2013 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]** this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes P.R.C.No.10 of 2013.

7. This Criminal Original Petition stands allowed accordingly and as a sequel, the proceedings in P.R.C.No.10 of 2013, on the file of the first respondent is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD-I)

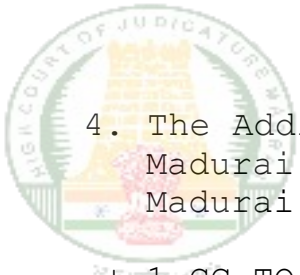
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Sub Assistant Registrar(CS-II)

Encl.:Xerox copy of Joint Compromise Memo

To

1. The Judicial Magistrate, Peraiyur,
Madurai District.
2. The Chief Judicial Magistrate,
Madurai (for information)
3. The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.



4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.T.Vadivelan, ADVOCATE IN SR NO.94786

WEB COPY + 1 CC TO Mr.R.Aravindraaj, ADVOCATE IN SR NO.94835

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MK/ES/RSK/SAR II/27.12.2018/3P/7C

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