



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.18265 of 2018

- 1.Muneeswaran
- 2.Uma Rani
- 3.Saravanan
- 4.Karthikeyan
- 5.Pavithra

: Petitioners/Accused No.1 to 5

Vs.

1. The State represented by
The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai City, Madurai.
(Crime No.32 of 2017)

: 1st Respondent/Complainant

2. Muthupandiammal

: 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the records in Special S.C.No.15 of 2018 on the file of the learned Additional District and Sessions Judge, Mahila Court, Madurai, Madurai District in connection with Crime No.32 of 2017 on the file of the Inspector of Police, All Women Police Station, Thallakulam, Madurai City, Madurai and quash the same on the ground of compromise forthwith.

For Petitioners	: Mr.J.Sankara Pandian
For R-1	: Mr.M.Chandra Sekaran
	Additional Public Prosecutor
For R-2	: Mr.R.Shek Meer

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Special S.C.No.15 of 2018 on the file of the learned Additional District and Sessions Judge, Mahila Court, Madurai, for an alleged offences under Sections 5(1), 6 of Protection of Child from Sexual Offences Act, 2012 and Section 506 (i) of I.P.C.

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



3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by Ms.P.Prema Sandha Kumar, SI of Police and they have also produced the copies of the Aadhaar Card which are made part of the record.

4.The victim girl was also present before this Court along with a child. This Court personally enquired the victim and she stated that she has married the first petitioner in the year 2017 and they have a male child. This Court also personally enquired the mother of the victim namely, Muthupandiammal and she stated before this Court that since her daughter has now married with the first petitioner, the case itself can be closed, taking into consideration the welfare of both the parties.

5. Under such circumstances, no useful purpose will be served in keeping the proceedings pending, even though the police have registered an F.I.R for an offence including the Posco Act. It will not be in the interest of both the parties to have a criminal case pending. More particularly, due to the fact that now a child is also born out of the wedlock. 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 the proceedings in S.C.No.15 of 2018 .

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.15 of 2018, on the file of the learned Additional District and Sessions Judge, Mahila Court, Madurai, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-II)

ENCL: Xerox copy of Joint Compromise Memo

To

1. The Additional District and Sessions Judge,
Mahila Court, Madurai.

2. The Inspector of Police,
All Women Police Station,
Thallakulam,

<https://hcservices.ecourts.gov.in/hcservices/> Madurai City, Madurai.



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

+2cc to Mr.J.Sankara Pandian, Advocate Sr.No.90044

RMI

VB/SKN/SAR2/14.11.2018/3P/6C

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