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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.15624 of 2019

and

Crl.M.P.Nos.7769 & 7771 of 2019

Dinesh ... Petitioner/Accused
vs.

1.State rep.by,
Inspector of Police,
No.1, Royapuram Police Station,
Chennai - 600 013.

2.Kamal ... Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and consequently quash the proceedings in S.C.No.70 of 2019 on the file of Learned Sessions Judge Mahila Court at Chennai.

For Petitioner : Mr.R.S.Mohan

For Respondents: Mr.M.Mohammed Riyaz (for R1)
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the records and consequently quash the proceedings in S.C.No.70 of 2019 on the file of Learned Sessions Judge Mahila Court at Chennai.

2. This 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 as well as the parents of the victim girl were present before this Court. They were independently examined by this Court and the parents of the victim girl informed this Court, they will get their daughter Venmathi married to the petitioner. The petitioner stated that he will marry Venmathi and will properly take care of her. The parties have also filed a compromise memo dated 22.04.2019 before the



Mahila Court, Chennai in S.C.No.70 of 2019. In order to identify the respective parties they have also produced the copy of the Aadhaar Cards which shall form part of the records. 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 proceedings 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.C.No.70 of 2019 on the file of the learned Sessions Judge Mahila Court, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.70 of 2019 on the file of the learned Sessions Judge Mahila Court, Chennai, is quashed and the compromise memo dated 22.04.2019 of the parents of the victim girl 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 Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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 compliance in the Registry. Consequently, connected miscellaneous petitions are closed.

*Copy of the Memo of Compromise

Sd/-
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

jas/ub

To

1. The Sessions Judge,
Mahila Court, Chennai
2. The Inspector of Police,
No.1, Royapuram Police Station,
Chennai - 600 013.
3. The Public Prosecutor
High Court of Madras.



4. The Section Officer,
Accounts Section,
High Court, Madras

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5. The Registrar(Judicial)
High Court, Madras

+1cc to Mr.R.S.Mohan, Advocate SR.No.55861

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and

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KK(CO)

GMV(06/09/2019)