

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Crl.OP No.31368 of 2019

and

Crl.M.P.No.17145 of 2019

Muthuraj

.. Petitioner

Vs.

1. The State rep by
The Inspector of Police,
Thalaivasal Police Station,
Salem District.

2. Amsavalli

.. Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records culminating in Special S.C.No.9 of 2017 on the file of the District Mahila Sessions Judge, Salem and quash the same.

For Petitioner : Mr.A.Selvendran

For Respondents : Ms.V.Saratha Devi for R1
Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition is filed to call for the records culminating in Special S.C.No.9 of 2017 on the file of the District Mahila Sessions Judge, Salem and quash the same.

2. In normal circumstances, this Court would not entertain a compromise entered into between the parties for the purpose of having the offence under POSCO Act, quashed. Nevertheless, it is brought to the notice of this Court that the victim girl, who is personally present before this Court, has filed an affidavit stating that she intend to get married to the petitioner herein. It has also been stated in the said affidavit that inspite of her objection, her parents had forcibly married her with 3rd person without her consent and that she has decided to dissolve

the said marriage and to marry the petitioner, whom she has already decided to marry right from the beginning. The petitioner is also personally present before this Court and he has also expressed his willing to marry the victim girl.

3. The victim girl is now aged about 20 years and at the time of occurrence she was aged about 17 years. In view of the stand taken by the petitioner as well as the victim girl, this Court is of the view that the ends of justice could be secured, if the proceedings are quashed against the petitioner herein.

4. It is stated by the learned counsel for the petitioner that pending criminal complaint against the petitioner herein, the parties have amicably resolved the disputes among themselves and the de-facto complainant has also filed an affidavit dated 21.11.2019 to that effect.

5. Both the de-facto complainant and the petitioner are present before this Court today. In order to identify the respective parties, they have also submitted the photo copies of their Aadhar Cards and the same has been made part of the record.

6. Recording the statements made in the affidavit dated 21.11.2019, the proceedings in Special S.C.No.9 of 2017 on the file of the District Mahila Sessions Judge, Salem, is quashed.

7. The Criminal Original Petition stands allowed accordingly. Consequently, connected Miscellaneous Petition is closed.

* Xerox copy of Memo of Compromise enclosed

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vkrr

To

1. The District Mahila Sessions Judge,
Salem.
2. Do Through The Principal Sessions Judge,
Salem.

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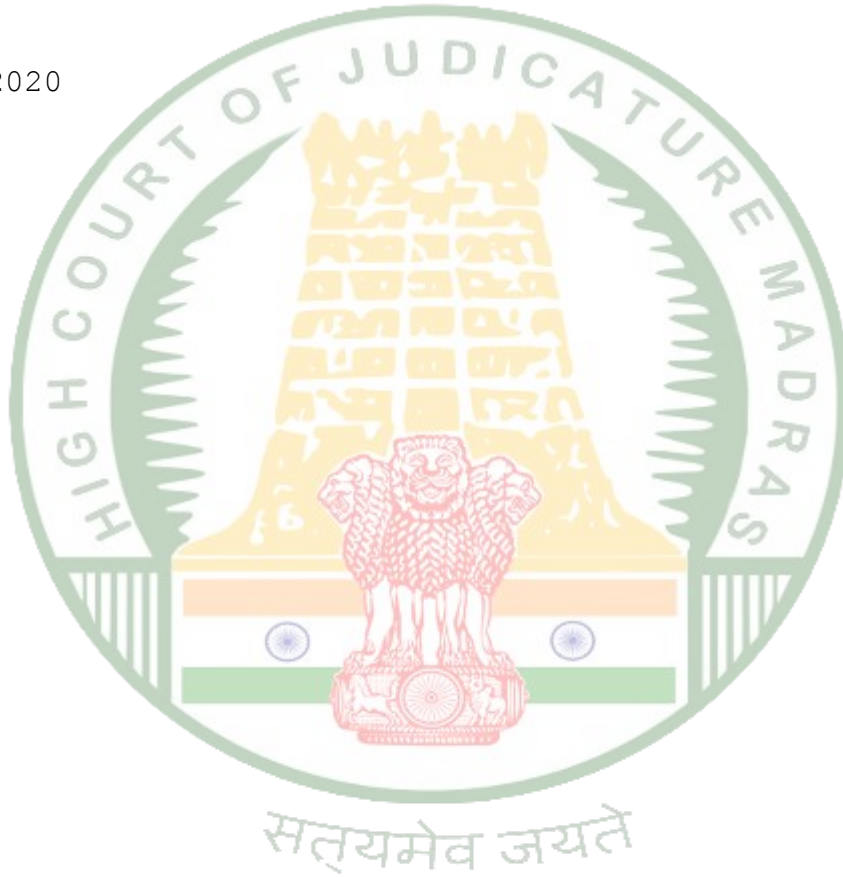
3. The Inspector of Police,
Thalaivasal Police Station,
Salem District.

4. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.A.Selvendran, Advocate, S.R.No.97143

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and
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VD(CO)
CS/21/01/2020



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