



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2019

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

Cr1.O.P. (MD) No.3325 of 2019

Thiruppathi

... Petitioner/Sole Accused
Vs.

1.The Inspector of Police,
All Women Police Station,
Kamudhi,
Ramanathapuram District.
(Crime No.3 of 2013)

...1st Respondent/Complainant

2.Saroja

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with Charge Sheet in S.C.No.129 of 2014 on the file of the Fast Track Mahila Court, Ramanathapuram and to quash the same in respect of the petitioners.

For Petitioner : Mr.C.Mayil Vahana Rajendran
For R-1 : Mr.V.Neelakandan
Additional Public Prosecutor
For R-2 : Mr.M.Vijayan

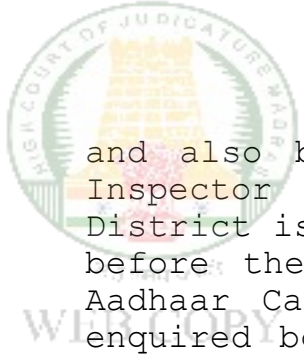
O R D E R

This Criminal Original Petition has been filed to quash the proceedings in S.C.No.129 of 2014 on the file of the Fast Track Mahila Court, Ramanathapuram in respect of the petitioner.

2. Initially, a case in Crime No. 3 of 2013 was registered for the offences under Section 417 and 376 IPC and after completion of investigation, charge sheet has been filed and the now, the case is pending in S.C.No. 129 of 2015 on the file of the Fast Track Mahila Court, Ramanathapuram. The offences are private in nature.

3. Even in the First Information Report the prosecutrix states that it is a consensual sex. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A Joint Memo of Compromise has been filed before this Court which has been signed by the petitioner and the second respondent



and also by their respective counsel. Mrs.G.Tamilselvi, the Sub-Inspector of Police, All Women Police Station, Kamuthi, Ramnad District is present before this Court. The parties were also present before the Court and they have also produced the copies of the Aadhaar Card which are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in keeping the proceeding 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 the proceedings in in S.C.No.129 of 2014 on the file of the Fast Track Mahila Court, Ramanathapuram.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.129 of 2014 on the file of the Fast Track Mahila Court, Ramanathapuram is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1000/- as costs, to the credit of the "Chief Justice Relief Fund" (payable in Account Section of the High Court Registry, Madurai Bench), 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.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox Copy of Joint Compromise Memo.

To

1.The Inspector of Police,
All Women Police Station,
Kamudhi, Ramanathapuram District.

2. The Fast Track Mahila Court,
Ramanathapuram

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



Copy to: The Section Officer, Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

WEB COPY

+1cc to Mr.C.Mayil Vahana Rajendran, Advocate, SR.No.51906

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KK/SAR/02.04.2019/ 3P- 6C