



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2019

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

Crl.O.P.(MD)No.3354 of 2019

WEB COPY

Senthilkumar

... Petitioner/Sole Accused

Vs.

1. The Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai District.

... 1st Respondent/Complainant

2.Rajaselvam @ Soniya

... 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 Spl.S.C.No.45 of 2016 on the file of the District Mahila Court, Madurai District and quash the same as illegal.

For Petitioner	: Mr.V.P.Rajan
For R-1	: Mr.V.Neelakandan
	Additional Public Prosecutor
For R-2	: Mr.A.Bartheesan

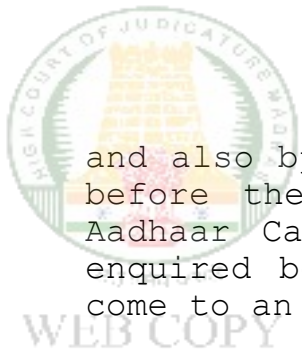
O R D E R

This Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.45 of 2016 on the file of the District Mahila Court, Madurai District.

2. It is an accusation by the daughter of the petitioner that her father has misbehaved with her. A reading of the substantial part of the complaint indicates that the girl, while a minor, was loving a boy which was addressed to the police that the parents having been resisting it very strongly and it is in this circumstances, the girl had made a complaint alleging that her father has misbehaved with her. Today, the prosecutrix has appeared before this Court and made a statement that she has made those accusations only to save her love.

3.After completion of investigation, charge sheet has been filed and the case is pending in Spl.S.C.No.45 of 2016 on the file of the District Mahila Court, Madurai. 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 have been signed by the petitioner and the second respondent



and also by their respective counsel. 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 proceedings, 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 Spl.S.C.No.45 of 2016 on the file of the District Mahila Court, Madurai District.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.45 of 2016 on the file of the District Mahila Court, Madurai, 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.500/- 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(crl.side)

/True Copy/

Sub Assistant Registrar

Encl.:Xerox Copy of Joint Compromise Memo

To

1. The Inspector of Police,
All Women Police Station,
Samayanallur, Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

1. The Section Officer,
Accounts Section,
Madurai Bench of Madras High court, Madurai



2. The Section Officer,
Criminal Section, (2 Copies),
Madurai Bench of Madras High court, Madurai

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Cr1.O.P. (MD) No.3354 of 2019
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