



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE
CrI.O.P.[MD]No.6108 of 2019

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Chellapandian @ Benat : Petitioner/Accused

Vs.

1.State represented by
The Inspector of Police,
All Women Police Station South,
Aruppukottai, Virudhunagar District,
In Crime No.8 of 2018 :Respondent/Complainant

2.Ambigadevi : Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the case in S.C.No.31 of 2019 pending on the file of the Fast Track Mahila Court, Srivilliputhur, Virudhunagar District and quash the same against the petitioner / accused.

For Petitioner : Mr.R.Venkateswaran
For R-1 : Mr.V.Neelakandan,
Additional Public Prosecutor.
For R-2 :Mrs.Sabari Karpura Jothi

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.31 of 2019 on the file of the Fast Track Mahila Court, Srivilliputhur, Virudhunagar District, for the alleged offence under Sections 417 and 376 IPC against the first petitioner and Section 506 (I) IPC against the second and the third petitioners.

2. The allegation is that the petitioner had physical relationship with the prosecutrix on a false promise of marrying her. The case is still in the stage of investigation. Admittedly it is a case of consented sex but on the question of it was on a false promise of marriage, the prosecutrix is not willing to prosecute the case.

3. 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 petitioner and the second respondent were also present in person before this Court and they were identified by Mr.S.Santhi, Sub-Inspector of Police, All Women Police Station, Aruppukottai, Virudhunagar. 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 in S.C.No.31 of 2019 pending, even though, the offence involved is not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **the State of Madhya Pradesh Vs. Laxmi Narayan & Others** [CDJ 2019 SC 264] and **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath** [(2017) 9 SCC 641], this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.C.No.31 of 2019 on the file of the Fast Track Mahila Court, Srivilliputhur, Virudhunagar District.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.31 of 2019 on the file of the Fast Track Mahila Court, Srivilliputhur, Virudhunagar District is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,000/-, as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), 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

// True Copy //

Sub Assistant Registrar(CS)

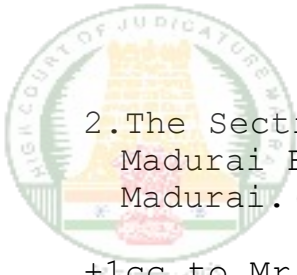
Encl:Xerox Copy of Joint Compromise Memo.

To

- 1.The Fast Tract Mahila Court, Srivilliputhur,
Virudhunagar District.
- 2.The Inspector of Police,
All Women Police Station South,
Aruppukottai, Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

- 1.The District Siddha Medical Officer, CCRI, Periyakulam (payable in
<https://hcservices.ecourts.gov.in/hcservices/>
Account No.10767823177, SBI, Periyakulam).



2.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

+1cc to Mr.R.VENKATESWARAN, Advocate, SR.No. 63056

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KK/SAR/11.06.2019/3P-8C