



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2019

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P. (MD) .No.17505 of 2019

Manikandan

... Petitioner/Sole Accused

Vs.

1.The State represented by

The Inspector of Police,

Thalaiyuthu Police Station,

Thalaiyuthu, Tirunelveli District.

Crime No.342 of 2018.

... 1st Respondent/Complainant

2.Malliga

... 2nd Respondent/De-facto

complainant

3.Tamilselvi

... 3rd Respondent/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case pending in Special Case No.64 of 2019, on the file of the learned District and Sessions Court (Mahila), Tirunelveli and quash the same.

For Petitioner : Mr.R.Karunanidhi

For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

For R2 and R3 : Mr.P.Ponraj

ORDER

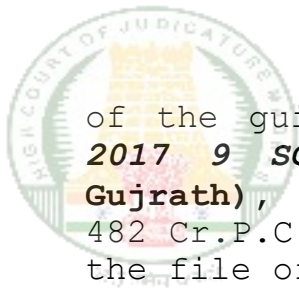
The Criminal Original Petition has been filed to quash the proceedings in Special Case No.64 of 2019, on the file of the learned District and Sessions Court (Mahila), Tirunelveli.

2.The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.At this juncture, it is represented by the learned counsel on either side that the victim girl attained majority. Now the petitioner and the victim girl got married and living together.

4.Affidavit has been filed before this Court which have been signed by the petitioner and the private respondents and also by their respective counsel. The petitioner and the private respondents were also present in person before this Court and they were identified by Ms.M.Rajeswari, SI of Police. 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 before the trial Court. 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 proceeding in Special Case No.64 of 2019, on the file of the District and Sessions Court (Mahila), Tirunelveli.

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6.It is represented by the learned counsel for the petitioner that the petitioner paid a sum of Rs.5000/- (Rupees Five Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry) on 26.11.2019 and filed the original receipt along with the memo. The said submission is placed on record.

7. Hence, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Special Case No.64 of 2019, on the file of the learned District and Sessions Court (Mahila), Tirunelveli, is quashed and the terms of affidavit shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox Copy of Joint Compromise Memo.

To

1.The District and Sessions Judge (Mahila),
Tirunelveli.

2.The Inspector of Police,
Thalaiyuthu Police Station,
Thalaiyuthu, Tirunelveli District.

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.

+1 CC to M/s.R. KARUNANITHI, Advocate (SR-101325[F] dated 26/11/2019)

CRL.O.P. (MD) .No.17505 of 2019
26.11.2019

KK/SAR/29.11.2019/2P-6C/