

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.2960 of 2021  
and Crl.M.P No.1671 of 2021

N.Sundaram

Petitioner

vs.

1. The State Rep. by its  
The Inspector of Police,  
Arachalur Police Station,  
Erode District.

2. Karthi

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the entire proceedings in Spl.SC.No.14 of 2020 pending before the Magalir Court, Erode and quash the same.

For Petitioner : Mr.S.Cowsik Sundar

For Respondents: Mr.C.Raghavan  
Government Advocate for R1

ORDER

The Criminal Original Petition has been filed to call for the records in Spl.SC.No.14 of 2020 pending on the file of the learned Magalir Court, Erode and quash the same.

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

3. The petitioner and the second respondent were also present and they were identified by Mr.Gnanasekar, Sub Inspector of Police, Arachalur Police Station, Erode District, who was also present at the time of hearing. The victim girl was also present before this Court and she made a statement that she had an affair with the accused person and she will ultimately marry him after her elder sister gets married. She stated that because of this criminal case the marriage of her elder sister is getting delayed.

4. Under such circumstances, no useful purpose will be served in keeping the case, 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), and after exercising due caution as advised by the Hon'ble Supreme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceeding in Spl.SC.No.14 of 2020 pending on the file of the learned Magalir Court, Erode.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.SC.No.14 of 2020, pending on the file of the learned Magalir Court, Erode, is quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Magalir Court, Erode.

2. The Inspector of Police,  
Arachalur Police Station,  
Erode District.

3. The Public Prosecutor,  
High Court, Madras.

+1cc to M/s.Gowsik Sundar, Advocate SR.12863

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SKY(CO)  
CB(22/03/2021)

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