

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.4226 of 2021
and Crl.M.P Nos.2672 & 2675 of 2021

Mathiyalagan

Petitioner/Accused

vs.

1. The Inspector of Police,
Karumanthurai Police Station,
Salem District.
(Spl.S.C. No.66 of 2020)

2. E.Kopiga

Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in pursuant to Spl.S.c.No.66 of 2020 on the file of the Mahila Court at Salem, Salem District.

For Petitioner : Mr.M.Sathish Kumar

For Respondents: Mr.C.Raghavan

Government Advocate for R1

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.66 of 2020 on the file of the Mahila Court at Salem District.

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 Affidavits dated 29.01.2021 has been filed by the mother and father of the victim girl before this Court. The petitioner and the second respondent were also present at the time of hearing before this Court and they were identified by Mr.Veeramuthu, Sub Inspector of Police (in charge), Karumanthurai Police Station, Salem. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and it is made part of the record. In the affidavits it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled

their issues in Spl.S.C.No.66 of 2020 on the file of the Mahila Court at Salem District. 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 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), 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 proceedings in Spl.S.C.No.66 of 2020 on the file of the Mahila Court at Salem District.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.66 of 2020 on the file of the Mahila Court at Salem District, is quashed and the terms of affidavits shall form part and parcel of this order. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Encl: i.Xerox Copy of Affidavit of E.Vijayakumari.
ii.Xerox Copy of Affidavit of A.Ezhumalai father of the victim.

rli

To

1. The Mahila Court at Salem District

2. The Inspector of Police,
Karumanthurai Police Station,
Salem District.

3. The Public Prosecutor,
High Court of Madras.

Cr1.O.P No.4226 of 2021
and Cr1.M.P Nos.2672 & 2675 of 2021

SKY (CO)
RMP (15/04/2021)