

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.5693 of 2021
and Crl MP No.3663 of 2021

Mariyan @ Mariya Arokyam

.. Petitioner /
Accused

Vs.

1. The State Rep. By
The Inspector of Police,
Arumbavoor Police Station,
Perambalur District

.. 1st respondent/ Complainant

2.Subiya

.. 2nd Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in Spl.S.C. No.63 of 2019 on the file of Mahila Court, Perambalur.

For Petitioner : Mr.R.Sankarasubbu

For Respondent No.1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in Spl.S.C. No.63 of 2019, pending on the file of the learned Mahila Court, Perambalur 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 joint Memorandum of compromise dated 19.09.2020 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present through Video conferencing and they were identified by Mr.Sengadhir Selvan, Head Constable, Arumbavoor Police Station, Perambalur District. In the joint Memo, 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.63 of 2019. 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 case 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 Crl 10**, this Court in

exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Spl.S.C. No.63 of 2019, pending on the file of learned Mahila Court, Perambalur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C. No.63 of 2019, pending on the file of learned Mahila Court, Perambalur, is quashed and the terms of Memo shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

01.04.2021

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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To

1. The State Rep. By
The Inspector of Police,
Arumbavoor Police Station,
Perambalur District
2. The Assistant Public Prosecutor,
High Court, Madras

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N. ANAND VENKATESH, J.
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16.04.2021

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