

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.16658 of 2020

B.Arivalagan

.. Petitioner

Vs.

1. State Rep. by

The Inspector of Police,
All Women Police Station,
Namakkal.

2. S.Nathiya

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records connected with the Charge Sheet in SPL.CC.No.18 of 2020 pending on the file of the Fast Track Mahila Court at Namakkal and quash the same as against the petitioner.

For Petitioner : Mr.C.B.Murali Krishnan

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

For Respondent No.2 : Mr.S.Sathish Kumar

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in SPL.CC.No.18 of 2020, pending on the file of Fast Track Mahila Court at Namakkal and quash the same.

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

3. The joint memo of compromise dated 05.10.2020 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 Mrs.Devi, Head Constable, All Women Police Station, Namakkal. In the Memo, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in SPL.CC.No.18

of 2020 . 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 Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in SPL.CC.No.18 of 2020, pending on the file of Fast Track Mahila Court at Namakkal.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in SPL.CC.No.18 of 2020, pending on the file of Fast Track Mahila Court at Namakkal, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. Fast Track Mahila Court at Namakkal

2. The Inspector of Police,
All Women Police Station, Namakkal.

3.The President,
Tamil Nadu Advocate's Clerk Association,
Madras High Court, Chennai.

4.The Sessions Judge,
Fast Track Mahila Court, Namakkal.

5. The Public Prosecutor,
Madras High Court, Chennai.

+1cc to Mr.S.Varanesh, Advocate, S.R.No. 10472

+1cc to Mr.S.Varanesh, Advocate, S.R.No. 10472 (07/04/2021)

Cr1.O.P No.16658 of 2020