



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2022

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.O.P.(MD).No.1486 of 2021

Naseer ... Petitioner/Sole Accused.
Vs.

1.State rep. by
The Inspector of Police,
Teppakulam Police Station
Madurai City, Madurai ... 1st Respondent/Complainant

2. Durgadevi ... 2nd Respondent/Defacto Complainant
3. Vishnupriya ... 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 in Spl.S.C. No.75 of 2019 pending on the file of the learned Sessions Judge, Mahila court, Madurai and quash the same.

For Petitioner : Mr.A.Sivasubramanian
For R-1 : Mr.B.Thanga Aravind
Government Advocate(Crl.Side)
For R-2& 3 : Mr.Ferozkhan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.S.C. No.75 of 2019 pending on the file of the learned Sessions Judge, Mahila court, Madurai for an alleged offences under Sections 366(A) of IPC and Sections 5(1) and 6 of Protection of Child from Sexual Offences Act, 2012

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.A Joint Memo of Compromise has been filed before this Court which has been signed by the petitioner and the second respondent and also by their respective counsel.

4. Under such circumstances, no useful purpose will be served in keeping the Spl.S.C. No.75 of 2019 pending on the file of the learned Sessions Judge, Mahila court, Madurai, 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 charge sheet in Spl.S.C. No.75 of 2019.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C. No.75 of 2019 pending on the file of the learned Sessions Judge, Mahila court, Madurai, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order.

Sd/-

Assistant Registrar (As)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Encl: Photocopy of Compromise Memo attached.

To

1. The Sessions Judge, Mahila court, Madurai
2. The Inspector of Police,
Teppakulam Police Station
Madurai City, Madurai
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.Siva Subramanian, Advocate (SR.No.5779)

Cr1.O.P.(MD).No.1486 of 2021
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MGJ(25.02.2022) 2P 4C