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CrI.O.P.No.2015 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.2015 of 2023

and

CrI.M.P.No.1136 of 2023

M.Rangaraj

...Petitioners

vs.

1.The Inspector of Police,
All Women Police Station,
Crime No.6 of 2020
Thudiyalur, Coimbatore.

2.Chitra

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to criminal case in Spl.C.C.No.58 of 2021 on the file of the learned Sessions Judge, Mahila Court, Coimbatore, and quash the same by allowing this criminal original petition.

For Petitioners : Mr.N.Manokaran

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor, for R1



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ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the proceedings in Special C.C.No.58 of 2021, pending on the file of the learned Sessions Judge, Mahila Court, Coimbatore 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 consent affidavit of second respondent has been filed before this Court which have been signed by the second respondent and also by her counsel. The petitioner and the second respondent were also present before this Court. In the consent affidavit, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Special C.C.No.58 of 2021. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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4. The victim girl, Chithra, was present before this Court. She stated that she was born in the year 2004. She further stated that she married the petitioner and a child, born through the marriage, was named as Sridharan and aged about one year. The child was also present before this Court along with the victim girl. The mother of the victim girl, Jothi, was also present before this Court and she stated that her daughter is married to the petitioner and that they are living happily. She further stated that she is not interested in prosecuting this case.

5. 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Special C.C.No.58 of 2021, pending on the file of the learned Sessions Judge, Mahila Court, Coimbatore.



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6. In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Special C.C.No.58 of 2021, pending on the file of the learned Sessions Judge, Mahila Court, Coimbatore, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, the connected miscellaneous petition is also closed. No cost.

08.08.2023

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

To

- 1.The Sessions Judge, Mahila Court,
Coimbatore.
- 2.The Inspector of Police,
All Women Police Station,
Crime No.6 of 2020
Thudiyalur, Coimbatore.
- 3.The Public Prosecutor,
High Court, Madras.



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N. ANAND VENKATESH, J.

nsa

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