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Crl.O.P No.15787 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.15787 of 2022

M.Ranjith,
S/o.Moorthi

... Petitioner

vs.

1.The Inspector of Police,
R-10. M.G.R. Nagar Police Station,
Chennai. (Cr.No. 245 of 2022)

2. Mrs.Mariyammal,
W/o. Gandhi Aasaari

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for records relating to the case in Crime No.245 of 2022 pending investigation on the file of the first respondent police and quash the same.

For Petitioner : Mr. C.Mohanakrishnan

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor [R1]

No appearance [R2]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.245 of 2022 pending on the file of first respondent.



2. When the matter came up for hearing on 16.08.2022, the second respondent, who is the mother of the victim girl appeared before this Court and she stated that she is not willing to compromise the dispute. In view of the same, this Court directed the victim girl to be present before this Court.

3. The victim girl viz., Sathya was present and she stated that her date of birth is 03.05.2004, that she married the petitioner on 06.05.2022 and a child was born, aged about two months. She came to the Court along with the child. She stated that her mother did not accept the marriage and she has come away from her parents and now living with the petitioner and the marriage was accepted by the family of the petitioner. She stated that she is not interested in prosecuting the case.

4. The petitioner is also present before this Court along with his mother Sundari. She stated that the second respondent is not accepting the marriage since it is a intercaste marriage and the petitioner belongs to Scheduled Caste community. He stated that the victim girl is now living with him and his family happily.



5. It was further brought to the notice of this Court that investigation was completed and final report was filed before the Mahila Court, Chennai and taken on file in S.C.No.154 of 2022.

6. 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.

7. A Joint Memo of Compromise dated 04.07.2022 signed by the petitioner and the victim girl has been filed before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by Mr.M.Devika, Woman Special Sub-Inspector of Police 16902, W26, All Women Police Station, Ashok Nagar [94981 31490]. In the Joint Memo of Compromise, it has been stated that the petitioner and the victim girl have entered into a compromise and amicably settled their issues in Crime No.245 of 2022 pending on the file of first respondent. 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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8. 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 Gujraath)** 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 S.C.No.154 of 2022 pending on the file of Mahila Court, Chennai.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.154 of 2022 pending on the file of Mahila Court, Chennai, is quashed and the terms of Joint Memo of Compromise dated 04.07.2022 shall form part and parcel of this order.

09.08.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm



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- To
- 1.The Mahila Court,
Chennai.
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 - 3.The Public Prosecutor,
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