



WEB COPY



Crl.O.P No.17198 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17198 of 2023
and Crl.MP.No.11081 of 2023

Mohanraj, M/26
S/o.Ayyasamy

... Petitioner/Accused

vs.

1.State Rep.by
The Sub-Inspector of Police
Erumapatty Police Station
Senthamangalam Taluk
Namakkal District.
(Crime No.267 of 2021)

..1st Respondent/Complainant

2.Mrs.Rajamani
W/o.Selvaraj

...2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the FIR in Crime No.267 of 2021 and Alteration Report dated 13.7.2021, on the file of 1st respondent herein namely Inspector of Police, Nallipalayam Police Station, Namakkal District and quash the same as illegal.

For Petitioner : Mr.N.Sudhagar nagaraj

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1



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ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.267 of 2021, pending on the file of the 1st respondent Police.

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 petitioner and the victim girl Soundarya was present in person before this Court and they were identified by Mr.Balamurugan-SI, Erumapatty P.S., Namakkal District. She stated that her date of birth is 15.7.2004. She further stated that she married the petitioner and there is a child through the marriage named as Ishanth, who was also brought before the Court. Ishanth was born 8 months back. The victim girl stated that she is now happily living with the petitioner and the family members of the petitioner have accepted the marriage. She stated that her family did not support the marriage and therefore, she is not in talking terms with her family.

4. Under such circumstances, no useful purpose will be served in keeping the case pending. Even though the offences involved are not compoundable in



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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 FIR in Crime No.267 of 2021, pending on the file of the 1st respondent Police.

5.This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.267 of 2021, pending on the file of the 1st respondent Police is quashed. Consequently, connected miscellaneous petition is closed.

04.08.2023

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

To

1.The Sub-Inspector of Police
Erumpatty Police Station
Senthamangalam Taluk
Namakkal District.

2.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J
KP

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