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Crl.O.P.No.14668 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

**Crl.O.P.No.14668 of 2023
and Crl.M.P.Nos.9159 and 9162 of 2023**

Maveeran

.. Petitioner

Versus

**1. State rep. by its
The Inspector of Police,
Erode GH Police Station,
Erode District.
(Crime No.117 of 2023)**

2. Aadhi Lakshmi

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with Spl.S.C.No.45 of 2023 on the file of the learned Sessions Judge, Fast Track Mahila Court, Erode in connection with Crime No.117 of 2022 on the file of the Inspector of Police, Erode GH Police Station, Erode District and quash the same in respect of the petitioner as devoid of merits and illegal.

For Petitioners : Mr.S.Muruganandha Prabhu

**For Respondents : Mr.A.Gopinath,
Government Advocate (Crl. Side),**



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for R1



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ORDER

This Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.45 of 2023 pending on the file of learned Sessions Judge, Fast Track Mahila Court, Erode.

2. When the matter came up for hearing on 04.07.2023, this Court after going through the records found that there was a love affair between the petitioner and the daughter of the second respondent and there was a consensual relationship between the parties which is quite apparent from Section 164 of Cr.P.C., statement that was recorded from the victim. Hence this Court directed the second respondent and her daughter to appear before this Court.

3. In view of the above order, Mr.N.Sasi Kumar, Special Sub-Inspector of Police, Erode GH Police Station brought along with him the second respondent and her daughter.

4. This Court inclined the second respondent and her daughter about the case. They stated that there was a relationship with the petitioner and



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now the daughter has decided to stay along with the second respondent and take care of her future. They categorically stated before this Court that they do not want to prosecute this case any longer.

5. The petitioner was also present before this Court and the learned Counsel for the petitioner submitted that this is a case where there was a love affair between the petitioner and the daughter of the second respondent and hence requested this Court to record the compromise and to set aside the proceedings pending before the Court below.

6. In the considered view of this Court, there was a relationship between the petitioner and the daughter of the second respondent. The same was also confirmed before this Court both by the second respondent as well as her daughter. In view of the same, the continuation of the proceedings as against the petitioner will only be a formality which will not yield any result. The petitioner is also a boy aged about 26 years and he has to take care of his future. The parameters that have been spelt out by the Hon'ble Supreme Court of India in *Parbathbhai Aahir @ Parbathbhai Vs. State of*



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Gujrath¹ and The State of Madhya Pradesh v. Dhruv Gurjar and Another²

are satisfied and this Court is inclined to quash the proceedings pending before the Court below.

7. In the result, the proceedings in Spl.S.C.No.45 of 2023 on the file of the learned Sessions Judge, Fast Track Mahila Court, Erode is hereby quashed on the account of compromise and this Criminal Original Petition accordingly stands allowed. Consequently, connected miscellaneous petitions are closed.

12.07.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Sessions Judge,
Fast Track Mahila Court, Erode.
2. The Public Prosecutor,
High Court of Madras.
3. The Inspector of Police,
Erode GH Police Station,

¹ (2017) 9 SCC 641
² (2019) 2 MLJ CrI 10



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Erode District.

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N.ANAND VENKATESH, J.

grs

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12.07.2023