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Crl.O.P No.17252 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17252 of 2023

Mr.Yuvaraj, M/24
S/o.Saigopi

... Petitioner/Accused

VS.

1.State represented by
The Inspector of Police,
W-21, Guindy All Women Police Station
Chennai.

..Respondent/Complainant

2.Tmt.Latha, F/40
W/o.Vasudevan

... 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 Spl.SC.No.145 of 2022, on the file of the learned Mahalir Neethimandram at Allikulam, Chennai and quash the same.

For Petitioner : Mr.M.Anandaraj

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)
for R1



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ORDER

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This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.SC.No.145 of 2022, pending on the file of the learned Mahalir Neethimandram at Allikulam, Chennai.

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. A Joint Memo of Compromise dated 20.07.2023 signed by both petitioner and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. A compromise affidavit has also been filed by the second respondent/de-facto complainant before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by B.Radha, WHC-28122, AWPS, Guindy, Chennai. In the affidavit it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Spl.SC.No.145 of 2022, pending on the file of the learned Mahalir Neethimandram at Allikulam, Chennai.



4. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The mother of the victim girl/de facto complainant was present before the Court. She stated that her daughter had developed a love affair with the petitioner and both of them had a relationship. She further stated that her daughter committed suicide in the year 2021 because of some other problem. She also categorically stated that she does not want to prosecute this case any further and requested this Court to close the proceedings.

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, quash the proceedings in Spl.SC.No.145 of 2022, pending on the file of the learned Mahalir Neethimandram at Allikulam, Chennai.



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6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.SC.No.145 of 2022, pending on the file of the learned Mahalir Neethimandram at Allikulam, Chennai is quashed and the terms of affidavit shall form part and parcel of this order.

25.07.2023

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



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To

- 1.The Inspector of Police,
W-21, Guindy All Women Police Station
Chennai.
2. Mahalir Neethimandram at Allikulam,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J
KP

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