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Crl.O.P.No.18183 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

**Crl.O.P.No.18183 of 2023
and Crl.M.P.No.12056 of 2023**

M.Sakthivel

.. Petitioner

Versus

1. State Rep. by
The Inspector of Police,
All Women Police Station - West,
Coimbatore District.
(Cr.No.11 of 2022)
 2. Ramayi
 3. XXX,
XXX,
XXX,
Coimbatore District.
- .. Respondents**

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in Spl.S.C.No.217 of 2022 on the file of the learned Sessions Judge, Mahila Court, Coimbatore and quash the same.

For Petitioner : Mr.M.Dinesh Sharma

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



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ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in Spl.S.C.No.217 of 2022 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 affidavit, dated 12.07.2023 of the second respondent / de-facto complainant and joint memo of compromise entered into between the parties have been filed before this Court. The victim girl is present before this Court and she stated that she has married the petitioner and there is a child through the marriage named as Agalya, aged about two months. She came along her mother Ramayi and father Venkatachalam. They stated that the victim girl is now living happily with the petitioner and that they are no more interested in proceeding further with the case.

4. The petitioner is also present along with his mother, Sujatha.



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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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the case in Spl.S.C.No.217 of 2022, pending on the file of the learned Sessions Judge, Mahila Court, Coimbatore.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.217 of 2022, pending on the file of the learned Sessions Judge, Mahila Court, Coimbatore is quashed and the terms of affidavit of the second respondent / de-facto complainant shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

21.08.2023

Index : yes/no



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Speaking order/Non-speaking order

Neutral Citation : yes/no

grs

N.ANAND VENKATESH, J.

grs

To

1. The Sessions Judge,
Mahila Court, Coimbatore.
2. The Inspector of Police,
All Women Police Station - West,
Coimbatore District.
3. The Public Prosecutor,
High Court of Madras.

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