



Crl O.P. No.18182 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18182 of 2023

and

Crl.M.P.No.12054 of 2023

1.Vengayan @ Suriya
S/o.Shamugam

2.Shamugam
S/o. Saravi

.. Petitioners

Vs.

1.The State represented by
The Inspector of Police,
Pappireddipatti, Dharmapuri.

2.Sakthivel

S/o. Sundramoorthy

..Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records in connection with the final report in Spl.S.C.No.5 of 2023 dated 27.07.2022 pending on the file of Fast Track Mahila Court, Dharmapuri and quash the same.

For Petitioners : Ms.K.Shalini

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor [R1]

ORDER



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WEB COPY This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.5 of 2023 on the file of Fast Track Mahila Court, Dharmapuri.

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 Compromise Memo dated 01.08.2023 signed by both the petitioners and *de facto* complainant and their respective counsel has been filed before this Court. A compromise affidavit has been filed by the second respondent/*de facto* complainant before this Court. The petitioner, second respondent and the victim girl were also present in person before this Court and they were identified by Mr.T.Selvam, Sub-Inspector of Police, Pappireddipatti Police Station, Dharmapuri District. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.5 of 2023 on



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the file of Fast Track Mahila Court, Dharmapuri.

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4. This Court also enquired both the parties. The victim girl stated that she had a relationship with the first petitioner and thereafter, the relationship was snapped. She stated that she was married to another person in the year 2017 and there are two children. She further stated that her husband and in-laws are not aware of this case and if this case continues, it will cause confusion to her happy family life. She, therefore, requested this Court to close the criminal proceedings. The father of the victim girl, who is the second respondent, reiterated the stand taken by the victim girl. The first petitioner also stated that he has also married another woman in the year 2022. This Court was satisfied that the parties have come to an amicable settlement between themselves.

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



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Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat)** 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.5 of 2023 on the file of Fast Track Mahila Court, Dharmapuri.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.5 of 2023 on the file of Fast Track Mahila Court, Dharmapuri, is quashed and the terms of Joint Compromise Memo dated 01.08.2023 and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

16.08.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
gm



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To
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1. The Fast Track Mahila Court,
Dharmapuri.
2. The Inspector of Police,
Pappireddipatti, Dharmapuri.
3. The Public Prosecutor
High Court of Madras.



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N.ANAND VENKATESH, J

gm

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