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Crl.O.P. No.19862 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.19862 of 2023

Arulrajan

... Petitioner

vs.

1. The State rep. by
The Inspector of Police,
Mangalapuram Police Station,
Namakkal.
(Crime No.405 of 2021)

2. Manimegalai

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in Spl.CC.No.30 of 2022 on the file of the Fast Track Mahila Court, Namakkal and quash the same.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Mr.A.Gopinath
Government Advocate [Crl.Side] [R1]



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.CC.No.30 of 2022 pending on the file of the Fast Track Mahila Court, Namakkal.

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 affidavit has been filed by both the petitioner and the victim girl before this Court. The petitioner and the victim girl were also present in person before this Court and they were identified by Ms.P.Parimala, Special Sub-Inspector of Police, Mangalapuram Police Station, Namakkal. In the affidavit, it has been stated that the petitioner and the victim girl have entered into a compromise and amicably settled their issues in Spl.CC.No.30 of 2022 pending on the file of the Fast Track Mahila Court, Namakkal. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



4. The victim girl was present before this Court and she has stated that she married the petitioner and through the marriage she has a girl baby viz., Pranika aged about 2 years and the child was also brought to this Court. She has further stated that now she is happily live with the petitioner and both the family have accepted their marriage and she is no more interested in prosecuting the case.

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 Gujraath)** 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.CC.No.30 of 2022 pending on the file of the Fast Track Mahila Court, Namakkal.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.C.C.No.30 of 2022 pending on the file of the Fast Track Mahila Court, Namakkal is quashed and the terms of affidavit shall form part



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and parcel of this order.

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

mp

To

- 1.The Fast Track Mahila Court,
Namakkal.
2. The Inspector of Police,
Mangalapuram Police Station,
Namakkal.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J

mp

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