



Crl.O.P.No.22281 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.9.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.22117 of 2023

Chinnadurai

...Petitioner/Sole Accused

Vs.

1.State rep. by

The Inspector of Police,
K4-Anna Nagar Police Station,
Crime No127 of 2021

..Respondent/Complainant

2.Sekar

...2nd respondent /Defacto complainant

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to call for the records in connection with charge sheet in Spl SC No.14 of 2023 on the file of the learned Sessions Judge, Magalir Neethimandram, Allikulam at Chennai.

For Petitioners : Mrs.R.Raji

For Respondent-1 : Mr.A.Gopinath, GA (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking to quash the the proceedings in Spl SC No.14 of 2023 on the file of the learned Sessions Judge, Magalir Neethimandram, Allikulam at Chennai



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2. The case is still at the stage of trial before learned Sessions Judge, Magalir Neethimandram, Allikulam at Chennai. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably between themselves.

3. The Victim girl was present before this Court and she stated that her date of birth is 19.06.2005 and that she married the petitioner on 28.06.2023. She stated that the petitioner is a distant relative. She further stated that her parents are not in talking terms with her and that all attempts are being made to pacify them. She further stated that she is not interested in prosecuting this case.

4. The Joint Compromise Memo dated 14.9.2023 and affidavit dated 14.09.2023, have been filed by both the petitioner as well as the second respondent before this Court. The petitioner and the second respondent are also present before this Court and they are identified by Mrs.Devi, Women Special Sub-Inspector of Police, W7, AWPS, Anna Nagar, Chennai. In the



affidavits, 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.14 of 2023 before the learned Sessions Judge, Magalir Neethimandram, Allikulam. This Court has also enquired both the parties and is satisfied that the parties have arrived at an amicable settlement between themselves.

4. 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 in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath [reported in 2017 (9) SCC 641]*** and after exercising due caution as advised by the Hon'ble Supreme Court in the case of ***State of Madhya Pradesh Vs. Dhruv Gurjar and Another [reported in (2019) 2 MLJ (Crl.) 10]***, this Court, in exercise of its jurisdiction under Section 482 of the Criminal Procedure Code, quashes the case in Spl SC No.14 of 2023 on the file of the Sessions Judge, Magalir Neethimandram, Allikulam.

5. Accordingly, this Criminal Original Petition stands allowed and as a



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sequel, the proceedings in Spl SC No.14 of 2023 on the file of the Sessions Judge, Magalir Neethimandram, Allikulam, is quashed. The terms of affidavits filed by both the petitioner as well as the second respondent dated 14.9.2023 shall form part and parcel of this order.

26.9.2023

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

To
1. Sessions Judge, Magalir Neethimandram, Allikulam,
2. State rep. by
The Inspector of Police,
K4-Anna Nagar Police Station,
Crime No127 of 2021
3. The Public Prosecutor, High Court, Madras.

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N.ANAND VENKATESH,J



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