



Crl.O.P.No.20192 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

**Crl.O.P.No.20192 of 2023
and Crl.M.P.Nos.13733 of 2023**

1. Vijay
2. Balammal .. Petitioners

Versus

1. State by,
The Inspector of Police,
All Women Police Station,
Chengam,
Tiruvannamalai District.
Crime No.06 of 2018

2. The President,
Child Welfare Committee,
Tiruvannamalai,
Tiruvannamalai District. .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Spl.S.C.No.155 of 2019 on the file of the learned Session Judge, Mahila Court, Tiruvannamalai and quash the charge sheet pending against the petitioners.

For Petitioners : Mr.S.Silambuselvan



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

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in Spl.S.C.No.155 of 2019 on the file of the learned Sessions Judge, Mahila Court, Tiruvannamalai 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 13.09.2023 of the victim girl, Priyanka has been filed before this Court. The parties are present before this Court and they are identified by Mr.D.Deivamoorthy, P.C-2612, All Women Police Station, Tiruvannamalai district. The victim girl is present before this Court and she stated that her date of birth is 14.04.2001. She further stated that she had married the first petitioner and there are two children through marriage named Vishnu and Vishma, aged about 3 years and 1 year respectively. She stated that she is now living happily with the first petitioner.



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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 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.155 of 2019, pending on the file of the Sessions Judge, Mahila Court, Tiruvannamalai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.155 of 2019, pending on the file of the learned Sessions Judge, Mahila Court, Tiruvannamalai is quashed and the terms of affidavit of the victim girl, Priyanka, dated 13.09.2023 shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

13.09.2023



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Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

grs

To

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



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N.ANAND VENKATESH, J.

grs

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