



Crl.O.P.No.20439 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

**Crl.O.P.No.20439 of 2023
and Crl.M.P.Nos.13890 and 13893 of 2023**

1. Pachiyappan @ Gobi
 2. Murugan
 3. Ramamoorthy
 4. Rani
 5. Vaiyapuri
- .. Petitioners

Versus

1. State, rep. by the
Inspector of Police,
Peranamallur Police Station,
Tiruvannamalai District.
(Crime No.191 of 2022)
 2. Perumal
 3. Jayasuriya
- .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the Spl.S.C.No.143 of 2022 on the file of the Fast Track Mahila Court, Tiruvannamalai District and quash the same.

For Petitioners : Mr.V.Sakkarapani



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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.143 of 2022 on the file of the Fast Track Mahila Court, Tiruvannamalai district 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 17.08.2023 of the victim girl 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 her date of birth is 05.06.2005 and that the first petitioner is her distant relative and she has married him in June, 2023. She stated that she is now living happily with the first petitioner and his family members. She further stated that her parents are not in favour of their marriage and hence, they are not in talking terms. She stated that the criminal case can be closed.



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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.143 of 2022, pending on the file of the Fast Track Mahila Court, Tiruvannamalai district.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.143 of 2022, pending on the file of the Fast Track Mahila Court, Tiruvannamalai district is quashed and the terms of affidavit of the victim girl, dated 17.08.2023 shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

14.09.2023

Index : yes/no
Speaking order/Non-speaking order



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Neutral Citation : yes/no

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To
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1. The Fast Track Mahila Court,
Tiruvannamalai District.
2. The Public Prosecutor,
High Court of Madras.
3. The Inspector of Police,
Peranamallur Police Station,
Tiruvannamalai District.



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N.ANAND VENKATESH, J.

grs

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and Crl.M.P.Nos.13890 and 13893 of 2023

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