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Crl.O.P.No.22081 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

**Crl.O.P.No.22081 of 2023
and Crl.M.P.Nos.15324 and 15325 of 2023**

1. S.Rajakumaran
 2. P.Subramaniyan
 3. Janaki
- .. Petitioners

Versus

1. The state rep by
The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.
(Crime No.417 of 2015)
 2. Bharathi
- .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in Spl.S.C.No.3 of 2022 on the file of the Sessions Court, Magalir Neethi Mandram (Fast Track Mahila Court), Villupuram and to quash the same.

For Petitioners : Mr.R.Thirumoorthy

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl. Side)
for R1



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ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.3 of 2022 on the file of the Sessions Court, Magalir Neethi Mandram (Fast Track Mahila Court), Villupuram.

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 25.09.2023 of the victim girl and the joint compromise memo have been filed before this Court. The victim girl named Susmitha is present before this Court. She stated that her date of birth is 20.06.1997. She further stated that she married the first petitioner in the year 2015 and through the marriage, there are two children. One male child named Vinayak Mahadev, aged about 7 years and a female child named Rakshita, aged about 6 years. She stated that she is now living happily with the first petitioner and that her parents are not in talking terms with her.



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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.3 of 2022 on the file of the Sessions Court, Magalir Neethi Mandram (Fast Track Mahila Court), Villupuram.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.3 of 2022 on the file of the Sessions Court, Magalir Neethi Mandram (Fast Track Mahila Court), Villupuram is quashed and the terms of affidavit of the victim girl shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

27.09.2023

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



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Neutral Citation : yes/no
grs

To

1. The Sessions Court,
Magalir Neethi Mandram (Fast Track Mahila Court),
Villupuram.
2. The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court of Madras.



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N.ANAND VENKATESH, J.

grs

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