



Crl.O.P.No.21560 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.9.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.21560 of 2023
& Crl.M.P.No.14854 of 2023

Harish

...Petitioner

Vs.

1.State represented by
The Sub-Inspector of Police,
AWPS-Tirupur North Police
Station, Tiruppur District.

2.Jandhini

...Respondents

Criminal Original Petition under Section 482 of the Code of Criminal Procedure praying to call for the records and quash the proceedings in Spl. S.C.No.16 of 2021 pending on the file of the Mahila Court, Tiruppur for the offences under Section 417 of the Indian Penal Code and under Sections 5(j)(ii), 5(l) and 6 of the Protection of Children from Sexual Offences Act, 2012.

For Petitioner : Mr.Deepanuday
For Respondent-1 : Mr.A.Gopinath, GA (Crl.Side)
For Respondent-2 : Mr.R.Ashwin



CrI.O.P.No.21560 of 2023

ORDER

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This petition has been filed seeking to quash the proceedings in Spl.S.C.No.16 of 2021 pending on the file of the Mahila Court, Tiruppur.

2. The case is still at the stage of investigation. 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 08.08.2004. She further stated that she married the petitioner. There was a child named as “Balkia” aged about 4 years”. The victim girls father and mother were also present before this Court and they stated that her daughter is now living happily with the petitioner and they further stated that they are not interested in prosecuting this case any further.

4. A joint compromise memo dated 10.8.2023 signed by both the petitioner and the *de facto* complainant namely the second respondent has



Crl.O.P.No.21560 of 2023

been filed before this Court. The petitioner and the second respondent are also present before this Court and they are identified by Mr.P.Thangavel, Sub-Inspector of Police, AWPS - Tiruppur North Police Station, Tiruppur District. In the joint compromise memo, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.16 of 2021 on the file of the Mahila Court, Tiruppur. This Court has also enquired both the parties and is satisfied that the parties have come to an amicable settlement between themselves.

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 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.S.C.No.16 of 2021



Crl.O.P.No.21560 of 2023

pending on the file of the Mahila Court, Tiruppur.

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6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.16 of 2021 pending on the file of the Mahila Court, Tiruppur is quashed and the terms of joint compromise memo dated 10.8.2023 shall form part and parcel of this order. Consequently, the connected Crl.M.P. is closed.

26.9.2023

Office to Note:
Issue on 03.10.2023

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

To

- 1.The Mahila Court, Tirupur.
- 2.The Sub-Inspector of Police,
AWPS-Tirupur North Police Station,
Tiruppur District.
- 3.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.21560 of 2023

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Crl.O.P No.21560 of 2023
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