



Crl.O.P.No.22319 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.22319 of 2023

Kabinath

.. Petitioner

Versus

1. State Rep By its
Inspector of Police,
AWPS - Namakkal Police Station,
Namakkal District.

2. Muthulakshmi

3. xxxxxx

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Spl.C.C.No.51 of 2022 on the file of the learned Sessions Judge, Fast Track Mahila Court, Namakkal District and quash the same as against the petitioner.

For Petitioner : Mr.S.Prem Kumar

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

: Mr.M.Marimuthu, for R3



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ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in Spl.C.C.No.51 of 2022 pending on the file of the learned Sessions Judge, Fast Track Mahila Court, Namakkal district.

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 consent affidavit, dated 14.09.2023 of the victim girl and the joint compromise memo have been filed before this Court. The victim girl is present before this Court. She stated that her date of birth is 02.07.2004. She further stated that she married the petitioner on 11.08.2023. The victim girl came along with her father and her in-laws. She further stated that the criminal case may be closed by this Court.

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



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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.C.C.No.51 of 2022 pending on the file of the learned Sessions Judge, Fast Track Mahila Court, Namakkal district.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.C.C.No.51 of 2022 pending on the file of the learned Sessions Judge, Fast Track Mahila Court, Namakkal district is quashed and the terms of consent affidavit of the victim girl shall form part and parcel of this order.

27.09.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Sessions Judge,



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Fast Track Mahila Court,
Namakkal District.

2. The Inspector of Police,
AWPS - Namakkal Police Station,
Namakkal District.
3. The Public Prosecutor,
High Court of Madras.



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N.ANAND VENKATESH, J.

grs

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