



Crl.O.P.No.22406 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

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1. V.Gowtham
2. Velusamy
3. Sivasakthi
4. Sakthivel
5. Kalaivani

.. Petitioners

Versus

1. The Inspector of Police,
All Women Police Station,
Rasipuram Taluk,
Namakkal District.
(Cr.No.15 of 2022)

2. XXXXX

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in Spl.S.C.No.9 of 2023 Court of Sessions Judge, Magalir Neethi Mandram (Fast Track Court), Namakkal District and to quash the same.

For Petitioners : Mr.Nagendra Prasath

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



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for R1

: Mr.M.Arun, for R2

ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.9 of 2023 Court of Sessions Judge, Magalir Neethi Mandram (Fast Track 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 affidavit, 28.08.2023 of the second respondent / de-facto complainant and the joint compromise memo have been filed before this Court. The victim girl is present before this Court. She stated that the first petitioner is none other than her mother's brother's son. She further stated that she has now completed 18 years of age and that the marriage will be conducted with the first petitioner. She came with her parents Kalaivani and Sakthivel. They stated that they are no longer interested in prosecuting this case. The first petitioner came along with his parents. It is stated by all



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of them that the victim girl will get married to the first petitioner and it will be registered.

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.9 of 2023 Court of Sessions Judge, Magalir Neethi Mandram (Fast Track Court), Namakkal District.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.9 of 2023 Court of Sessions Judge, Magalir Neethi Mandram (Fast Track Court), Namakkal District is quashed and the terms of affidavit of the second respondent / de-facto complainant shall form part and parcel of this order.



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

To

1. The Sessions Judge,
Magalir Neethi Mandram (Fast Track Court),
Namakkal District.
2. The Inspector of Police,
All Women Police Station,
Rasipuram Taluk,
Namakkal District.
3. The Public Prosecutor,
High Court of Madras.



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N.ANAND VENKATESH, J.

grs

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