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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.56 of 2024

1.Chinnadurai

2.Angammal

... Petitioners

Vs.

1.State Rep. by
The Inspector of Police,
All Women Police Station,
Rasipuram,
Namakkal.
(Crime No.11 of 2021)

2.Deepa

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in pending proceedings in Spl.CC.No.99/2021 on the file of the learned Mahila Court (Fast Track), Namakkal and quash the same.

For Petitioner

: Mr.W.C.Camyles Gandhi

For Respondent

: Mr.A.Gopinath
Government Advocate for R1



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ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in Spl.CC.No.99 of 2021 on the file of the learned Mahila Court (Fast Track), Namakkal 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 11.07.2023 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present in person before this Court and they were identified by Ms. Jackulin Rani, WHC 1280, Rasipuram All Women Police Station. In the affidavit it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Spl.CC.No.99 of 2021 pending on the file of the learned Mahila Court (Fast Track), Namakkal.



4.This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The victim girl was present before this Court and she is stated that her date of birth is 14.11.2004. She is stated that she married the 1st petitioner and there is a boy child named Magilan aged about 2 years. She further stated that she is now living happily with the 1st petitioner and she is properly taking care by her in-laws. The child was also brought at the time of hearing.

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 reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)** and after exercising due caution as advised by the Hon'ble Suprme 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.CC.No.99 of 2021, pending on the file of the learned Mahila Court (Fast Track), Namakkal.



N.ANAND VENKATESH, J

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SSR

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.CC.No.99 of 2021, pending on the file of the the learned Mahila Court (Fast Track), Namakkal, is quashed and the terms of affidavit shall form part and parcel of this order.

05.01.2024

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr

To

- 1.The Mahila Court (Fast Track), Namakkal.
- 2.The Inspector of Police,
All Women Police Station,
Rasipuram, Namakkal.
- 3.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.56 of 2024