



Crl.O.P No.238 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.238 of 2024

Vinoth

... Petitioner/Sole Accused

.VS.

1.State rep.by
The Inspector of Police
W-32, All Women Police Station
Madipakkam,
Chennai.

..1st Respondent /Complainant

(Crime No.7 of 2018)

2.Rosy

.. 2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to Spl.SC.No.31 of 2019, on the file of the learned Sessions Judge, Chengalpattu and to quash the same.

For Petitioner : Mr.A.P.Sathya Murthy
For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)
for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.SC.No.31 of 2019, on the file of the learned Sessions Judge, Chengalpattu.



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2.The victim girl was present before this Court. She stated that her date of birth is 7.12.2000 and that she married the petitioner and they have a child through marriage named Kiran, aged about 3 years. The child was also present before this Court and the mother of the victim girl stated that her daughter is now living happily with the petitioner and requested this Court to close the criminal case.

3. 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.

4. Affidavit dated 29.12.2023 has been filed by the petitioner and the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present before this Court and they were identified by Mrs.R.Malarvizhi, WPC-2303, Selaiyur AWPS. In the affidavit it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Spl.SC.No.31 of 2019. This Court also enquired both the parties and was 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 reported in (**2017**)



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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 Cri 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the proceedings in Spl.SC.No.31 of 2019, on the file of the learned Sessions Judge, Chengalpattu.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.SC.No.31 of 2019, on the file of the learned Sessions Judge, Chengalpattu, is quashed and the terms of affidavit shall form part and parcel of this order.

08.01.2024

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

To

1. The Inspector of Police
W-32, All Women Police Station
Madipakkam,
Chennai.

2.Sessions Judge, Chengalpattu.

3.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J
KP

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