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CRL.O.P No.362

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.362 of 2024

P.Sakthikumar
S/o.Perumal

...Petitioner

Vs.

1.State represented by,
The Inspector of Police,
All Women Police Station,
Krishnagiri,
Krishnagiri District.

2.Mageswari
W/o.Annamalai

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records pertaining to the charge sheet in Spl.S.C.No.39 of 2022 on the file of the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri and quash the same.

For Petitioner : Mr.M.P.Saravanan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]



ORDER

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The Criminal Original Petition has been filed to call for the records relating to the case in Spl.S.C.No.39 of 2022 on the file of the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri 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 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present in person before this Court and they were identified by Ms.G.Kavitha, WGR-I 915, Krishnagiri All Women Police Station, Krishnagiri District [Mobile:94981 71096]. In the affidavit it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Spl.S.C.No.39 of 2022 pending on the file of the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri .

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 Archana



was present along with her mother Maheshwari. She stated that her date of birth is 03.06.2004 and that she got married to petitioner on 15.07.2022. She further stated that she is now living happily with the petitioner and she is properly taken care by her in-laws. The mother of the victim girl who is the defacto complainant was also present before this Court and she stated that her daughter is now living happily with the petitioner. She further stated that she does not want to continue with the criminal proceedings.

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 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. quashes the case in Spl.S.C.No.39 of 2022, pending on the file of the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri.

11.01.2024

Index: Yes/No

Speaking order/Non-speaking Order



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N.ANAND VENKATESH, J

SSR

To

- 1.The Fast Track Mahila Court,
Krishnagiri.
- 2.The Inspector of Police,
All Women Police Station,
Krishnagiri,
Krishnagiri District.
- 3.The Public Prosecutor,
High Court, Madras.

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