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Crl.O.P.No.1247 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1247 of 2024

And

Crl.M.P.Nos.908 and 909 of 2024

1.Sathiq Basha
2.Fathima Beevi
3.Sulthama
4.Abdul Rezak

... Petitioners

Vs.

1.The State Represented by
The Inspector of Police
AWPS, Sethiyathope Police Station,
Cuddalore.
(Ref:Cr.No.5/2022)

2.M.Sasikala

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records relating to the proceedings in PRC No.2 of 2023 on the files of District Munsif cum Judicial Magistrate, Kaarumannaikoil and quash the same as illegal and without jurisdiction.

For Petitioner : M/s.I.Abdul Basith
For Respondents : Mr.A.Gopinath for R1
Government Advocate (Crl. Side)



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ORDER

The criminal original petition has been filed seeking to call for the records pertaining to the proceedings in PRC No.2 of 2023, pending on the file of District Munsif cum Judicial Magistrate, Kaarumannaikoil 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 victim girl was present before this Court. She stated that her date of birth is 11.03.2005. She further stated that she has married the first petitioner. The victim girl came along with her Mother Sulthama and her Mother – in – Law Fathima Beevi and they were identified by Ms.R.Rajalakshmi, Women Constable Grade I, AWPS, Sethiyathope.

4.The Joint Memo of Compromise dated Nil December, 2023 has been filed before this Court which have been signed by the petitioners and the victim girl and also by the learned counsel for the petitioners.



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In the joint compromise memo it has been stated that the petitioners and the victim girl had entered into a compromise and amicably settled their issues in PRC No.2 of 2023. 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 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 Vs. 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 PRC No.2 of 2023 pending on the file of the District Munsif cum Judicial Magistrate, Kaarumannaikoil.

6.This criminal original petition stands allowed and as a sequel, the proceedings in PRC No.2 of 2023 on the file of the District Munsif



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cum Judicial Magistrate, Kaarumannaikoil, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Consequently, the connected miscellaneous petitions are closed.

24.01.2024

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The District Munsif cum Judicial Magistrate,
Kaarumannaikoil.
- 2.The Inspector of Police
AWPS, Sethiyathope Police Station,
Cuddalore.
(Ref:Cr.No.5/2022)
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

CrI.O.P.No.1247 of 2024
And
CrI.M.P.Nos.908 and
909 of 2024



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