



Crl.O.P. No. 1944 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2024

CORAM

THE HON'BLE MR. JUSTICE N. ANAND VENKATESH

CRL.O.P. No. 1944 of 2024

1. Godwin
2. Gayathri
3. G. Santhakumar ..Petitioners

Vs.

1. State represented by
The Inspector of Police,
All Women Police Station,
Peravallur,
Chennai (Crime No. 11 of 2023)

2. Saishree ..Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to call for the records and quash the proceedings in Crime No. 11 of 2023 on the file of the Inspector of Police, All Women Police Station, Peravallur for offences under Sections 10, 21(1) & 4 of the Protection of Children from Sexual Offences Act and Sections 366 & 506(i) IPC.



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For Petitioners :: Mr.Sheik Ismail
For Respondent :: Mr.A. Gopinath,
Govt. Advocate (Crl.Side) for R1

ORDER

The Criminal Original Petition has been filed seeking to quash the investigation in Crime No. 11 of 2023, pending on the file of the 1st respondent.

2. The case is still in the stage of investigation, By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Compromise Memo dated 08.01.2024, signed by the petitioners and the 2nd respondent / defacto complainant has been filed before this Court. The petitioners and the 2nd respondent/de facto complainant respondent were also present in person before this Court and they were identified by Mr.P.Dhanalakshmi, Women Head Constable, AWPS,



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Peravallur, who was also present at the time of hearing. In order to identify the respective parties, they have also produce the copy of the Aadhaar Card is made part of the record. In the compromise memo, it has been stated that the petitioner and the 2nd respondent / defacto complainant have entered into a compromise and amicably settled their issues in Crime No.11 of 2023 pending on the file of the 1st respondent.

4. The victim girl as well as the boy (A2) were present before this Court. The victim girl stated that she fell in love with A2, when they were studying in school. She further stated that both of them want to pursue with their studies and after some time, they want to get married with the concurrence of both the parents. This statement was also reiterated by the boy (A2), who was present before this Court.

5. The victim girl and the boy stated that the continuation of the criminal proceedings will not be in the interest of both the victim girl and boy, who want to settle down in life and get married later.



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6. 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, quash the investigation in Crime No.11 of 2023, pending on the file of the 1st respondent.

7.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.11 of 2023, pending on the file of the 1st respondent is quashed and the terms of Compromise Memo dated 08.01.2024, shall form part and parcel of this order.

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



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To

1. The Inspector of Police,
All Women Police Station,
Peravallur,
Chennai (Crime No. 11 of 2023)
2. Child Welfare Officer
3. The Public Prosecutor,
High Court, Madras.

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