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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.3284 of 2024
and Crl.MP.No.2390 & 2393 of 2024

Sivasakthi

.. Petitioner/ Accused-1

vs.

1.State rep.by

The Inspector of Police

All Woman Police Station-Bhavani

Bhavani Post & Taluk, Erode District.

.. Respondent/Complainant

(Ref.Crime No.9/2022)

2.The Councilor

The District Child Welfare Department

No.69, Gandhiji Road

Ex-Serviceman Building-II Floor

Erode.

.. Respondent/De facto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Spl.SC.No.20 of 2023, on the file of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court) at Erode and quash the proceeding as against the petitioner.

For Petitioners : Mr.V.Vijayakumar

For Respondents : Mr.A.Gopinath
Government Advocate
for R1

**ORDER**

This Criminal Original Petition has been filed to quash the proceedings in Spl.SC.No.20 of 2023, on the file of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court) at Erode.

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 20.10.2004. She married the petitioner and through the marriage there is a child named Yadav aged about 1 ½ years. The victim girl also brought the child along with her at the time of hearing. She requested this Court to close the criminal case.

4. Compromise Affidavit of the victim girl dated 4.3.2024, has been filed before this Court. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. All the parties were present in person before this Court. In the compromise affidavit, it has been stated that the victim girl and the petitioner have entered into a compromise and amicably settled their issues in Spl.SC.No.20 of 2023, on the file of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court) at Erode.



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, quash the proceedings in Spl.SC.No.20 of 2023, on the file of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court) at Erode.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.SC.No.20 of 2023, on the file of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court) at Erode, is quashed and the terms of compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

04.03.2024

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



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N. ANAND VENKATESH,, J.

kp

To

- 1.The Inspector of Police
All Woman Police Station-Bhavani
Bhavani Post & Taluk, Erode District.
- 2.The Councilor
The District Child Welfare Department
No.69, Gandhiji Road
Ex-Serviceman Building-II Floor
Erode.
3. Sessions Judge,
Magalir Neethi Mandram
(Fast Track Mahila Court)
Erode.
4. The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.3284 of 2024

04.03.2024