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Criminal Original Petition No.3227 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.3227 of 2024
and
Crl.MP.No.2370 of 2024

Karthik
S/o.Munusamy

...Petitioner

Vs

1.The State, Rep. by
Sub-Inspector of Police
AWPS Kangeyam
Tiruppur District.

2.xxx
W/o.xxx

3.xxx
D/o.xxx

... Respondens

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records and quash the proceedings in Spl. Sc.No.98 of 2022 pending on the file of the Mahila Court, Tiruppur for the offences under Section 366, 344 of IPC and under Seciton 5(j)(ii), 5(I) r/w.6 of POCSO Act, 2012 and under Section 9 of Child Marriage Act, 2006.



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For Petitioner : Mr.Deepanuday
For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No. 98 of 2022 on the file of Mahila Court, Tiruppur.

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

3. An affidavit 18.01.2024 has been filed by the petitioner before this Court. The petitioner and the victim girl were present in person before this Court. In order to identify the respective parties, they have also produce the copy of the Aadhaar Card, which is made part of the record. In the affidavit, it has been stated that the petitioner and the respondents have entered into a compromise and amicably settled their issues in Spl.S.C.No. 98 of 2022 on the file of Mahila Court, Tiruppur.



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4. The victim girl stated that her date of birth is 09.01.2022. She further stated that she married the petitioner and had two children named as Hemanth, 3 ½ years and Mithran, 7 months. She further stated that her mother had originally given the complaint and now both the families have accepted the marriage and she is now living happily with the petitioner and she does not want to prosecute the case any further.

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.S.C.No. 98 of 2022 on the file of the Mahila Court, Tiruppur.

6. This Criminal Original Petition stands allowed and as a sequel, the



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proceedings in Spl.S.C.No. 98 of 2022 on the file of the Mahila Court, Tiruppur is quashed and the terms of affidavit, shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

15.02.2024

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

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To

1. The Mahila Court, Tiruppur

2. The Sub-Inspector of Police
AWPS Kangeyam
Tiruppur District.

3. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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