



Criminal Original Petition No.4703 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.4703 of 2024

1.M.Rajesh
S/o.Murugesan

2.Lakshmi
W/o.Balaji

3.Balaji
S/o.Ramasamy

4.Murugan
S/o.Ellappan

5.Yagavalli
W/o.Murugan

...Petitioners

Vs

1.State represented by
Inspector of Police,
W-17, AWPS Police Station,
Peravallur, Chennai – 600 082.

2.Kavitha
W/o.Rajesh

... Respondents



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PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for records pertains to Spl.S.C.No.162 of 2022 pending on the file of Sessions Judge, Mahila Court at Allikulam, Chennai on the file of first respondent and quash the same.

For Petitioners : Mr.S.K.Masthan

For Respondents : Mr.A.Gopinath
Government Advocate [Crl.side] [R1]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.162 of 2022 pending on the file of Sessions Judge, Mahila Court at Allikulam, Chennai.

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.



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3. An affidavit of second respondent has been filed before this Court.

The petitioner and second respondent were also present in person before this Court. In the affidavit, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.162 of 2022 pending on the file of Sessions Judge, Mahila Court at Allikulam, Chennai.

4. This Court also enquired both the parties. The victim girl was present before this Court. She stated that she had a love affair with the first petitioner and she got married to him. She was accompanied by her parents and her in-laws (parents of first petitioner). The second respondent/*de facto* complainant requested this Court to close the criminal case considering the interest of the first petitioner, victim girl and the entire family.

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



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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. quashes the proceedings in Spl.S.C.No.162 of 2022 pending on the file of Sessions Judge, Mahila Court at Allikulam, Chennai .

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.162 of 2022 pending on the file of Sessions Judge, Mahila Court at Allikulam, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order.

07.03.2024

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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- 1.The Sessions Judge,
Mahila Court,
Allikulam, Chennai.
- 2.The Inspector of Police,
W-17, AWPS Police Station,
Peravallur, Chennai – 600 082.
- 3.The Public Prosecutor,
High Court, Madras



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N.ANAND VENKATESH, J
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