



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.3680 of 2024
and CrI.M.P No.2711 of 2024

Velumayil @ Velmayil

... Petitioner

VS.

1.State represented by
The Inspector of Police,
All Women Police Station, Gobichettipalayam,
In Crime No.328 of 2021

2.Ramamurthy

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with entire proceedings pending in Spl.S.C.No.15 of 2022 on the file of the learned Session Judge, Magalir Neethimandram, (Fast Track Mahila Court) Erode and compromise quash the same.

For Petitioner : Mr.S.Saravana Kumar

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



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ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in Spl.S.C.No.15 of 2022, pending on the file of learned Session Judge, Magalir Neethimandram, (Fast Track Mahila Court), Erode 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 Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the 2nd respondent and also by their respective counsel. The petitioner and 2nd respondent were also present in person before this Court and they were identified by Mr.G.R.Prabhu, HC-1204, Gobichettipalayam. In the joint compromise memo it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Spl.S.C.No.15 of 2022. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



4. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The victim girl stated that she had a love affair with the petitioner. However, she does not want to continue the affair with the petitioner. She wants to continue with her studies and she is listening to the advice of her father. She came along with her father. The father of the victim girl who is the defacto complainant stated the he 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Spl.S.C.No.15 of 2022 pending on the file of learned Session Judge, Magalir Neethimandram, (Fast Track Mahila Court) Erode.



N. ANAND VENKATESH., J

SSR

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6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.15 of 2022, pending on the file of learned Session Judge, Magalir Neethimandram, (Fast Track Mahila Court) Erode is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

16.02.2024

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

To

- 1.The Session Judge, Magalir Neethimandram,
(Fast Track Mahila Court), Erode.
- 2.The Inspector of Police,
All Women Police Station, Gobichettipalayam,
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.3680 of 2024
and Crl.M.P No.2711 of 2024