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Crl O.P. No.2453 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.2453 of 2024

and

Crl. M.P. Nos.1755 and 1756 of 2024

Abimanyu S/o. Sekar

...Petitioner

Vs.

1. State Rep by its
The Inspector of Police,
Kadathur Police Station,
Erode District.
(Cr.No.280 of 2021)

2. Rangammal

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to
call for the records in Spl. S.C. No.28 of 2022 on the file of the Sessions
Court, Fast Track Mahila Court, Erode and quash the same.

For Petitioner : Mr. R.Thirumoorthy

For Respondent : Mr. A. Gopinath
Government Advocate (Crl. Side)

ORDER



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This Criminal Original Petition has been filed seeking to quash the proceedings pending in Spl. S.C. No.28 of 2022 on the file of the Sessions Court, Fast Track Mahila Court, Erode.

2. When the matter came up for hearing on 09.02.2024, this Court passed the following order:

“2. It is seen that the petitioner who was aged about 19 years during the relevant point of time was in love with the victim girl. The victim girl also admitted in the cross examination that she was in love with the petitioner. During the course of this relationship, the petitioner had physical intercourse with the victim girl. Considering the age of the petitioner and the victim girl, this Court is inclined to interfere with the proceedings.

3. It is also brought to the notice of this Court that the victim girl has now married someone else and she is also pregnant. Therefore, considering the interest of the parties, post this case under the



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caption “for recording compromise” on
19.02.2024 at 2.15 p.m.

4. The learned Government Advocate (CrI. Side)
shall instruct the first respondent to bring the
second respondent and the victim girl during the
next date of hearing. In the meantime, the Court
below shall keep the proceedings in Spl. S.C.
No.28 of 2022 in abeyance”.

3. The matter was taken up for hearing today. The Police namely
P. Viswanathan, Special Sub Inspector, Kadathur Police Station, Erode
was present at the time of hearing. The Victim girl along with her mother
Rangammal were present through Video Conferencing platform. The
victim girl stated that she knows the petitioner earlier and that she has
now married one Kuppusamy on 27.08.2023. The mother of the victim
girl who is the defacto complainant stated that her daughter is now
married one Kuppusamy and that she has no more interested in
prosecuting this criminal case.



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4. 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.

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, quash the proceedings in Spl. S.C. No.28 of 2022 pending on the file of the Sessions Court, Fast Track Mahila Court, Erode..

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl. S.C. No.28 of 2022 pending on the file of the Sessions Court, Fast Track Mahila Court, Erode is quashed.



Consequently, the connected miscellaneous petitions are closed.

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Index : Yes / No
Internet : Yes / No
mjs

To

1. The Sessions Judge, Fast Track Mahila Court, Erode .
2. The Inspector of Police,
Kadathur Police Station,
Erode District.
3. The Public Prosecutor,
High Court of Madras,
Madras.



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N.ANAND VENKATESH, J.,
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