



CrI.O.P.No.2728 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.2728 of 2024

And

CrI.M.P.No.1962 of 2024

1.Balaji

2.Devi Kalaivani

3.Thangamani

... Petitioners

Vs.

1.The State Rep. by

Inspector of Police

AWPS – Avinashi Police Station,

Tiruppur District.

2.XXX

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call the records and quash the proceedings in Spl.S.C.No.77 of 2020 pending on the file of the Mahila Court, Tiruppur.

For Petitioners : Mr.Deepanuday

For Respondents : Mr.A.Gopinath for R1
Government Advocate (CrI. Side)
Ms.V.Shalini for R2



Crl.O.P.No.2728 of 2024

ORDER

WEB COPY

The criminal original petition has been filed seeking to call for the records pertaining to the proceedings in Spl.S.C.No.77 of 2020, pending on the file of the Mahila Court, Tiruppur 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 victim girl was present before this Court. She stated that her date of birth is 16.06.2002. She further stated that she married the first petitioner and through the marriage, there is a child named Mugilan aged about 6 years. The child was also present before this Court. He further stated that she is now living happily with the first petitioner and requested this Court to close the criminal case.

4.The Joint Memo of Compromise dated Nil January, 2024 has been filed before this Court which has been signed by the petitioners and the second respondent and also by their respective counsel. The first petitioner and the second respondent were also present in person before this Court. In order to identify the respective parties they have



CrI.O.P.No.2728 of 2024

also produced the copies of the Aadhaar Card and they are made part of the record. In the joint compromise memo it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Spl.S.C.No.77 of 2020. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between 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 Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Spl.S.C.No.77 of 2020 pending on the file of the Mahila Court, Tiruppur.

6.This criminal original petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.77 of 2020 on the file of the Mahila



Crl.O.P.No.2728 of 2024

N.ANAND VENKATESH,J.

pri

Court, Tiruppur, is quashed and the terms of the Joint Memo of Compromise shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

13.02.2024

pri

Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The Mahila Court, Tiruppur.

2.The Inspector of Police
AWPS – Avinashi Police Station,
Tiruppur District.

3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

Crl.O.P.No.2728 of 2024

And

Crl.M.P.No.1962 of 2024

13.02.2024