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CrI.O.P.No.6540 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.6540 of 2024

And

CrI.M.P.No.4805 of 2024

Naresh Kumar

... Petitioner

Vs.

1.State rep. by
The Inspector of Police
Kolacombai Police Station,
The Nilgiris.
(Cr.No.75 of 2019)

2.Janani

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in Spl.S.C.No.13 of 2020 on the file of the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court) Udthagamandalam and quash the entire criminal proceedings in so far as it relates to the petitioner's concerned.

For Petitioner : Mr.K.Jothisivam
For Respondents : Mr.A.Gopinath for R1
Government Advocate (CrI. Side)



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ORDER

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The criminal original petition has been filed seeking to call for the records pertaining to the proceedings in Spl.S.C.No.13 of 2020, pending on the file of the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court) Udthagamandalam 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 03.05.2002. She further stated that she has married the petitioner one year back and she is now living happily with the petitioner and she requested this Court to close the case.

4.The Joint Memo of Compromise dated 25.01.2024 has been filed before this Court which has been signed by the petitioner and the second respondent and also by the learned counsel for the petitioner. The petitioner and the second respondent were also present in person before this Court. In order to identify the respective parties they have



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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 parties had entered into a compromise and amicably settled their issues in Spl.S.C.No.13 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.13 of 2020 pending on the file of the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court) Udhagamandalam.

6.This criminal original petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.13 of 2020 pending on the file of the



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N.ANAND VENKATESH,J.
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learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court) Udhagamandalam, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

19.03.2024

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Sessions Judge,
Magalir Neethimandram (Fast Track Mahila Court)
Udhagamandalam.
- 2.The Inspector of Police
Kolacombai Police Station,
The Nilgiris.
(Cr.No.75 of 2019).
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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