



Crl.O.P.No.3033 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.3033 of 2024
and Crl.M.P.No.2176 of 2024

R.Prabakaran

... Petitioner

Vs.

1.State, rep.by
The Inspector of Police,
All Women Police Station,
Kancheepuram,
Kancheepuram District.
(Cr.No.20/2023)

2.Pathmavathi

..Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Cr.No.20/2023 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.S.N.Arunkumar

For RR1 : Mr.A.Gopinath
Government Advocate
(CrlSide)



Crl.O.P.No.3033 of 2024

WEB COPY

ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in Cr.No.20/2023 on the file of the 1st respondent 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 dated 14.02.2024 has been filed before this Court which have been signed by the parties and also by their respective counsel. The petitioners and the mother of the victim girl were also present in person before this Court. The victim girl was present before this Court along with her mother. She stated that she had a love affair with the petitioner and this was opposed by both the families. However, the victim girl stood her ground and insisted that she will live only with the petitioner. She further stated that she married the petitioner and there is a boy child named Jeshwith born on 28.08.2023. She is now living happily with the petitioner. The child was also brought at the time



Crl.O.P.No.3033 of 2024

of hearing. The petitioner was also present before this Court. It seems that both the families have now accepted the fact that the victim girl has married the petitioner and is living with him. Considering the present status, the continuation of the criminal proceedings against the petitioner will not be in the interest of the victim girl and the child that has now been born.

4. 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 Cr.No.20/2023 on the file of the 1st respondent.



WEB COPY



Crl.O.P.No.3033 of 2024

N.ANAND VENKATESH, J.

sk

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Cr.No.20/2023 on the file of the 1st respondent, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

14.02.2024

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
sk

To

1.The Inspector of Police,
All Women Police Station,
Kancheepuram,
Kancheepuram District.

2.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.3033 of 2024