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CrI.O.P.No.2874 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.2874 of 2024

1.Arunamurthy
S/o.Ganesan

2.Balaji
S/o.Late Balakrishnan

... Petitioners

Vs.

1.State represented by
The Inspector of Police,
Kunnam Police Station,
Kunnam, Perambalur District.
Crime No.316 of 2022

2.Lakshmi
W/o.Periyasamy

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for records pertaining to the Spl.S.C.No.29 of 2023 on the file of Sessions Judge, Mahila Court, Perambalur, in Crime No.316 of 2022 on the file of first respondent and quash the same.

For Petitioners : Mr.G.Premkumar

For Respondents : Mr.A.Gopinath
Government Advocate [CrI.side]



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.29 of 2023 on the file of Sessions Judge, Mahila Court, Perambalur.

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. A Joint Compromise Memo dated 06.02.2024 signed by both parties and their respective counsel and affidavit of second respondent have been filed before this Court. The petitioners and second respondent were also present in person before this Court and they were identified by Mr.M.Suguanand, Kunnam Police Station [94981 04397]. In the Joint Memo of Compromise and in the affidavit, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.29 of 2023 on the file of Sessions Judge, Mahila Court, Perambalur. This Court also enquired both



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the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. The victim girl was present before this Court along with her mother Lakshmi. The victim girl stated that her date of birth is 21.12.2005 and she seems to have a love affair with the first petitioner. Now she has decided to proceed further with her life. The mother of the victim girl stated that she wants her daughter to continue with her studies and that she is no more interested in prosecuting this case.

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 proceedings in Spl.S.C.No.29 of 2023 on the file of Sessions Judge, Mahila Court, Perambalur.



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N.ANAND VENKATESH, J.

gm

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.29 of 2023 on the file of Sessions Judge, Mahila Court, Perambalur, is quashed and the terms of Joint Compromise Memo dated 06.02.2024 and the terms of affidavit shall form part and parcel of this order.

09.02.2024

Speaking Order/Non-speaking Order

Index : Yes/No

Neutral citation: Yes/No

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To

1.The Sessions Judge,
Mahila Court, Perambalur.

2.The Inspector of Police,
Kunnam Police Station,
Kunnam, Perambalur District.
Crime No.316 of 2022

3.The Public Prosecutor,
High Court, Madras.

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