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CrI.O.P.No.5527 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.5527 of 2024

P.Karthick

... Petitioner

Vs.

1.The State rep. by
The Inspector of Police
Nallur Police Station,
Crime No.19 of 2023
Namakkal District.

2.Ravi

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records relating to the criminal case in Spl.S.C.No.57 of 2023 on the file of the learned Fast Track Mahila Court, Namakkal, quash the same by allowing the criminal original petition.

For Petitioner : Mr.N.Manoharan
For Respondents : Mr.A.Damodaran for R1
Additional Public Prosecutor

O R D E R

The criminal original petition has been filed seeking to call for the



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records pertaining to the proceedings in Spl.S.C.No.57 of 2023, pending on the file of the learned Fast Track Mahila Court, Namakkal 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 she had a love affair with the petitioner. Thereafter she also married the petitioner and there is a child named Kavi Tharun aged about eight months. She further stated that she is now living happily with the petitioner and the family members of the petitioner are supporting them. She further stated that the second respondent is her father and that her family is not acceptable for this marriage and therefore they have stopped communicating with the victim girl. The victim girl requested this Court to close the criminal case.

4.The affidavit of the victim girl dated 03.02.2024 has been filed before this Court. The petitioner and the victim girl were also present in person before this Court and they were identified by



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Mr.V.Thangarasu, Special Sub Inspector of Police, Nallur Police Station, Namakkal District. In the affidavit it has been stated that the petitioner and the victim girl are living happily under one roof and the victim girl had requested to quash the proceedings in Spl.S.C.No.57 of 2023. 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**, and taking into consideration the interest of the petitioner, the victim girl and also the child aged about eight months, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Spl.S.C.No.57 of 2023 pending on the file of the Fast Track Mahila Court, Namakkal.

6.This criminal original petition stands allowed and as a sequel,



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N.ANAND VENKATESH,J.

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the proceedings in Spl.S.C.No.57 of 2023 on the file of the Fast Track Mahila Court, Namakkal, is quashed and the terms of the affidavit shall form part and parcel of this order.

07.03.2024

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The Fast Track Mahila Court,
Namakkal.
- 2.The Inspector of Police
Nallur Police Station,
Namakkal District.
Crime No.19 of 2023
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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