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Criminal Original Petition No.3493 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.3493 of 2024

Karuppusamy

... Petitioner

Vs.

1. The State represented by
The Inspector of Police,
All Women Police Station,
Dharapuram, Tiruppur District.
Crime No.4 of 2022

2.Palaniammal
W/o.Kanagaraj

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records relating to the Spl.S.C.No.60 of 2022 on the file of the learned Magalir Neethimandram (Fast Track Mahila Court), Tiruppur District and quash the same.

For Petitioner : Mr.C.Ramkumar

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.side) [R1]

ORDER



Criminal Original Petition No.3493 of 2024

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This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.60 of 2022 pending on the file of Magalir Neethimandram (Fast Track Mahila Court), Tiruppur District.

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 signed by both parties and affidavits of petitioner and second respondent have been filed before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by Ms.A.Priyadharshini, WC-2274, All Women Police Station, Dharapuram [82704 70002]. In the Joint Memo of Compromise and in the affidavits, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.60 of 2022 pending on the file of Magalir Neethimandram (Fast Track Mahila Court), Tiruppur District.

4. This Court also enquired both the parties. The victim girl stated that her date of birth is 04.11.2004 and she further stated that she married



Criminal Original Petition No.3493 of 2024

the petitioner and through the marriage, a male child was born named Navilan, aged 1½ years. The victim girl came along with her mother, who is the *de facto* complainant in this case. The mother of the victim girl stated that her daughter and the petitioner are now living happily and that she is not interested in prosecuting this case any further. This Court 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 Gujath)** 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in Spl.S.C.No.60 of 2022 pending on the

N.ANAND VENKATESH, J.

gm
file of Magalir Neethimandram (Fast Track Mahila Court), Tiruppur



Criminal Original Petition No.3493 of 2024

District.

WEB COPY

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.60 of 2022 pending on the file of Magalir Neethimandram (Fast Track Mahila Court), Tiruppur District, is quashed and the terms of Joint Compromise Memo and the terms of affidavits shall form part and parcel of this order.

20.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

gm

To

1.The Magalir Neethimandram
(Fast Track Mahila Court), Tiruppur District

2.The Inspector of Police,
All Women Police Station,
Dharapuram, Tiruppur District.
Crime No.4 of 2022

3.The Public Prosecutor,
High Court, Madras.

Criminal Original Petition No.3493 of 2024