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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.4953 of 2024
and Crl.MP.Nos.3647 & 3748 of 2024

Ragupathi

...Petitioner / Accused

.Vs.

1.State rep.by
The Inspector of Police
V.Kalathur Police Station
Perambalur District.

.. 1st Respondent/Complainant

(Crime No.34/2022)

2.Mahalakshmi

.. 2nd Respondent/De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in connection with Spl.SC.No.33 of 2023, on the file of the learned Sessions Judge, Mahila Court, Perambalur and quash the same.

For Petitioner : Mr.M.Vijaya Ragavan

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side) for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.SC.No.33 of 2023, on the file of the learned 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. The victim girl was present before this Court. She stated that she had a love affair with the petitioner. 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 both the families have discussed the issue and it was decided that the victim girl will get married to the petitioner after she attains majority. Presently, the victim girl is taken care by the 2nd respondent and she is doing a diploma course. The de facto complainant requested this Court to close the criminal proceedings pending before the court below.

4. Joint Compromise Memo dated 5.2.2204 signed by both petitioner and second respondent has been filed before this Court. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. The petitioner and second respondent were also present in person before this Court. In the affidavit, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Spl.SC.No.33 of 2023, on the file of the learned Sessions Judge, Mahila Court, Perambalur.



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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the proceedings in Spl.SC.No.33 of 2023, on the file of the learned Sessions Judge, Mahila Court, Perambalur.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.SC.No.33 of 2023, on the file of the learned Sessions Judge, Mahila Court, Perambalur is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

01.03.2024

Speaking Order/Non-Speaking Order
Index: Yes/No
Internet: Yes/No
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N.ANAND VENKATESH.J.,

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To

- 1.The Inspector of Police
V.Kalathur Police Station
Perambalur District.
2. Sessions Judge, Mahila Court,
Perambalur.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

CRL.O.P No.4953 of 2024

01.03.2024