



WEB COPY



Crl. O.P. No.3918 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.3918 of 2024

Aravinthan S/o. Rajamanickam

... Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
All Women Police Station,
Tambaram, Chennai.

2. Suguna Devi D/o. Sampath Kumar

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records relating to the impugned FIR in Crime No.23 of 2021 on the file of the 1st respondent and to quash the same.

For Petitioners : Mr. R. Parthiban

For Respondents : Mr.A. Gopinath

Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.23 of 2021 pending on the file of first respondent.

2. The Victim girl was present before this Court and she stated that she married



the petitioner and through the marriage, there is a child namely Aadheesh aged about two years. The victim girl further stated that she is now living happily and both the family members have agreed to the marriage and hence she requested this Court to close the case.

3. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A Joint Memo of Compromise dated 13.02.2024 signed by both petitioner and second respondent/*de facto* complainant has been filed before this Court. A compromise affidavit has also been filed by the second respondent/de-facto complainant before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by Ms. R. Malarvizhi, Women Police Constable, Selaiyur, Chennai. 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 Crime No.23 of 2021 pending on the file of first respondent. 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



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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 FIR in Crime No.23 of 2021 pending on the file of first respondent.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.23 of 2021 pending on the file of the 1st respondent is quashed.

21.02.2024

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

N.ANAND VENKATESH, J



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To
WEB COPY

1. The Inspector of Police,
All Women Police Station,
Tambaram, Chennai.
2. The Public Prosecutor,
High Court, Madras.

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