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Criminal Original Petition No.5215 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.5215 of 2024

Sathish Kumar
S/o.Murugesan

...Petitioner

Vs

1.State represented by
Inspector of Police,
Namagiripet Police Station,
Namakkal District.

2.Radha
W/o.Panneerselvam

3.XXXX

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for records in Spl.C.C.No.29 of 2022 on the file of learned Sessions Judge, Fast Track Mahila Court, Namakkal District and quash the same as against the petitioner.



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For Petitioner : Mr.R.Arunprasath
For Respondents : Mr.A.Gopinath
Government Advocate [Crl.side] [R1]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.C.C.No.29 of 2022 pending on the file of Sessions Judge, Fast Track Mahila Court, Namakkal 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 dated 14.02.2024 signed by both parties and affidavit of petitioner and consent affidavit of victim girl have been filed before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by Mr.K.Selvam, Special Sub-Inspector of Police, Namagiripet Police Station,



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Namakkal District [94981 69102]. 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.C.C.No.29 of 2022 pending on the file of Sessions Judge, Fast Track Mahila Court, Namakkal District.

4. This Court also enquired both the parties. The victim girl was present before this Court. She stated that her date of birth is 03.05.2005. She further stated that she married the petitioner and through the marriage, there is a child named Pranixsa, aged about 1½ years. She stated that she is now living happily with the petitioner and both the families have agreed to the marriage. She requested this Court to close the proceedings.

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 @**



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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.C.C.No.29 of 2022 pending on the file of Sessions Judge, Fast Track Mahila Court, Namakkal District .

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.C.C.No.29 of 2022 pending on the file of Sessions Judge, Fast Track Mahila Court, Namakkal District, is quashed and the terms of Joint Compromise Memo and the terms of affidavits shall form part and parcel of this order.

07.03.2024

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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WEB COPY To

- 1.The Sessions Judge,
Fast Track Mahila Court,
Namakkal District
- 2.The Inspector of Police,
Namagiripet Police Station,
Namakkal District.
- 3.The Public Prosecutor,
High Court, Madras



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N.ANAND VENKATESH, J

gm

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