



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.4782 of 2024
and CrI.MP.No.3494 & 3497 of 2024

Kiruthika

.. Petitioner/Sole Accused

vs.

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

..1st Respondent/Complainant

(Cr.No.975/2021)

2.Aasaithambi

.. 2nd Respondent/De facto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in Spl.SC.No.22 of 2023, on the file of the learned Sessions Judge, Mahila Court, Perambalur and quash the same.

For Petitioners : Ms.S.Rithika

For Respondents : Mr.A.Gopinath
Government Advocate
for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.SC.No.22 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. In the present case, the victim is a boy Krishna, who is said to have developed relationship with the petitioner, who was elder to him and the complainant was the father of the victim boy. He was present before this Court and he stated that the petitioner is a very close relative and that the family members decided to resolve the dispute amicably. He stated that his son had married the petitioner and both of them are now living in the matrimonial home. He requested this court to close the criminal case.

4. A Joint Compromise Memo dated 2.1.2024 signed by both petitioner, second respondent/de facto complainant and the victim boy and their respective counsel has been filed before this Court. An affidavit has also been filed by the second respondent/de facto complainant before this Court. In order to identify the respective parties they have also produced the copy of the Aadhaar Card as made part of the record. The petitioner, the second respondent/de facto complainant, and the victim boy were also present in person before this Court. In the joint compromise memo, it has been stated that the petitioner, second respondent and the victim boy have entered into a compromise and amicably settled their issues in Spl.SC.No.22 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.22 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.22 of 2023, on the file of the learned Sessions Judge, Mahila Court, Perambalur, is quashed and the terms of Joint compromise memo and affidavit shall form part and parcel of this order.

04.03.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
kp
To

1.The Inspector of Police
Perambalur Police Station
Perambalur District.

2. Sessions Judge
Mahila Court, Perambalur.

3. The Public Prosecutor,
High Court of Madras,



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N. ANAND VENKATESH,, J.
kp

Crl.O.P No.4782 of 2024

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