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Criminal Original Petition No.5388 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 05.03.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Criminal Original Petition No.5388 of 2024**

R.Vasanth Kumar  
S/o.B.Ramesh

... Petitioner

Vs.

1.The State of Tamil Nadu,  
represented by Inspector of Police,  
W16, All Women Police Station,  
Pulianthope, Chennai - 600 012.

2.K.Karpagam  
W/o.Kuppan

3.XXXXX  
D/o.Kuppan

... Respondents

**Prayer:** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records pertaining to the charge sheet in Spl.S.C.No.45 of 2022 on the file of Sessions Judge (Mahila Court), Allikulam, Chennai and quash the same.

For Petitioner : Mr.S.Udhyasankar

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

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## **ORDER**

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This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.45 of 2022 pending on the file of Sessions Judge (Mahila Court), Allikulam, Chennai.

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 and affidavit of 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.D.Sumathi, WSSI, W16- Puliyanthope AWPS, Chennai [98402 08987]. In the Joint Memo of Compromise and 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.S.C.No.45 of 2022 pending on the file of Sessions Judge (Mahila Court), Allikulam, Chennai.



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4. This Court also enquired both the parties. The victim girl was present before this Court along with her mother, who is the *de facto* complainant. She stated that the petitioner is her close relative. She further stated that on the advice of the family members, it was decided to amicably settle this dispute. She further stated that she is not going to marry the petitioner. The *de facto* complainant, who was present before this Court also reiterated the same stand taken by the victim girl and she requested this Court to close the criminal case. 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 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.S.C.No.45 of 2022 pending on the file of Sessions Judge (Mahila Court), Allikulam, Chennai.



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**N.ANAND VENKATESH, J**

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This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.45 of 2022 pending on the file of Sessions Judge (Mahila Court), Allikulam, Chennai, is quashed and the terms of Joint Compromise Memo and the terms of affidavit shall form part and parcel of this order.

**05.03.2024**

Speaking Order/Non-speaking Order

Index : Yes/No

Neutral citation: Yes/No

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To

1.The Sessions Judge (Mahila Court),  
Allikulam, Chennai.

2.The Inspector of Police,  
W16, All Women Police Station,  
Pulianthope, Chennai - 600 012.

3.The Public Prosecutor,  
Madras High Court, Chennai.

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