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Criminal Original Petition No.5250 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.5250 of 2024

E.Manimaran
S/o.Elumalai

... Petitioner

Vs.

1.The State represented by
The Deputy Superintendent of Police,
Madhuranthagam,
Chengalpattu District.

2.Inspector of Police,
Madhuranthagam Police Station,
Chengalpattu District.

3.P.Veeran
S/o.Late Padavettan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the entire records connected with the charge sheet in Spl.S.C.No.31 of 2021 on the file of learned Sessions Judge/Mahila Court, Chengalpattu and quash the same.

For Petitioner : Mr.G.Balamanikandan

For Respondents : Mr.A.Gopinath
Govt. Advocate (Crl.side) [R1 & R2]



Criminal Original Petition No.5250 of 2024

ORDER

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This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.31 of 2021 pending on the file of Sessions Judge/Mahila Court, Chengalpattu.

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 affidavits of petitioner and third respondent have been filed before this Court. The petitioner and third respondent were also present in person before this Court. In the Joint Memo of Compromise and in the affidavits, it has been stated that the petitioner and the third respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.31 of 2021 pending on the file of Sessions Judge/Mahila Court, Chengalpattu.



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4. This Court also enquired both the parties. The victim girl stated that her date of birth is 09.11.2002, that she married the petitioner and through the marriage, there is a girl baby named Kayal aged about 1½ years. She further stated that the marriage has been accepted by both families. She is now living happily with the petitioner. The father of the victim girl, who was present before this Court also reiterated the stand taken by the victim girl and 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.31 of 2021 pending on the file of Sessions Judge/Mahila Court, Chengalpattu.



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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.31 of 2021 pending on the file of Sessions Judge/Mahila Court, Chengalpattu, is quashed in entirety and the terms of Joint Compromise Memo and the terms of affidavits 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,
Chengalpattu.
- 2.The Deputy Superintendent of Police,
Madhuranthagam,
Chengalpattu District.
- 3.The Inspector of Police,
Madhuranthagam Police Station,
Chengalpattu District.
- 4.The Public Prosecutor,
Madras High Court, Chennai.

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