



WEB COPY



CrI.O.P.No.5910 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.5910 of 2024

S.Lakshmanan

.. Petitioner

Vs.

1.State rep by:

The Inspector of Police,
W-34, All Women Police Station,
Ennore, Chennai – 600 057.
Crime No.3/2020

2.Bhavani

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in SPL.S.C.No.174 of 2023 on the file of the learned Magaleer Neethimandram at Thiruvallur and Compromise and quash the same.

For petitioner	:	Ms.G.Gayathri for Mr.R.Kisoth Kumar
For R1	:	Mr.A.Gopinath Government Advocate (CrI. Side)
For R2	:	Ms.M.A.Praveena



WEB COPY



Cr1.O.P.No.5910 of 2024

ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in SPL.S.C.No.174 of 2023 on the file of the learned Magaleer Neethimandram at Thiruvallur and quash the same.

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.The Joint Compromise Memo has been filed before this Court which have been signed by the petitioner, 2nd respondent and also by the learned counsel for the petitioner and the learned counsel for the 2nd respondent. The petitioner, the second respondent, the victim girl and her two children were also present in person before this Court and they were identified by Ms.S.Priya Dharshini, W34, AWPS, Ennore. In the Joint Compromise Memo it has been stated that the petitioner and the 2nd respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.174 of 2023. This Court also enquired both the



Cr1.O.P.No.5910 of 2024

parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.The victim girl was present before this Court. She stated that her date of birth is 18.06.2003. She further stated that she married the petitioner and through the marriage there are two children aged about 4 years and 2 years respectively. The children were also present before this Court at the time of hearing. The victim girl came along with her mother, who is the defacto complainant. The mother of the victim girl requested this Court to close the case since her daughter is now living happily with the petitioner and the children.

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 Cr1 10**, this Court in exercise of its jurisdiction under Section 482



Cr1.O.P.No.5910 of 2024

Cr.P.C. quashes the case in Spl.S.C.No.174 of 2023 pending on the file of learned Magaleer Neethimandram at Thiruvallur.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.174 of 2023 pending on the file of learned Magaleer Neethimandram at Thiruvallur, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

11.03.2024

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

NOTE: Issue order copy on 15.03.2024.

To

- 1.The learned Magaleer Neethimandram,
Thiruvallur.
- 2.State rep by:
The Inspector of Police,
W-34, All Women Police Station,
Ennore, Chennai – 600 057.
- 3.The Public Prosecutor,
Madras High Court, Chennai.



WEB COPY



Cr1.O.P.No.5910 of 2024

N.ANAND VENKATESH, J.

krk

Cr1.O.P.No.5910 of 2024

11.03.2024