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Crl.O.P.No.5780 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.5780 of 2024

Rajalingam

.. Petitioner

Vs.

1.The State rep. by,
The Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.
(Crime No.354 of 2021)

2.Reththinapat,
Social Welfare Extension Officer,
Kabilarmalai,
Paramathivelur Taluk,
Namakkal District.

3.Murugeswari

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in pending proceedings in Spl.C.C.No.42 of 2022 on the file of the Sessions Judge – Fast Track Mahila Court, Namakkal and quash the same.



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For petitioner : Mr.W.Camyles Gandhi
For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in SPL.S.C.No.42 of 2022 on the file of the Sessions Judge – Fast Track Mahila Court, Namakkal 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 affidavit has been filed before this Court which has been signed by the petitioner, 3rd respondent and their respective counsel. The petitioner, the third respondent and her child were also present in person before this Court and they were identified by Mr.V.Thangaraju, SSI, Jedarpalayam Police Station, Namakkal District, (Mobile No.94498169014). In the Joint Compromise affidavit it has been stated that the petitioner and the 3rd respondent have entered into a compromise and amicably settled their issues in SPL.S.C.No.42 of 2022. This Court also enquired both the parties and was satisfied that the



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parties have come to an amicable settlement between themselves.

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4.The victim girl was present before this Court and she stated that her date of birth is 19.02.2005. She further stated that she married the petitioner and through the marriage, there is a two year and five months old child named Sharmika. She stated that she is now living happily with the petitioner and both the families agreed to the marriage and requested this Court to close the criminal case.

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 case in SPL.S.C.No.42 of 2022 pending on the file of the Sessions Judge – Fast Track Mahila Court, Namakkal.



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6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in SPL.S.C.No.42 of 2022 pending on the file of the Sessions Judge – Fast Track Mahila Court, Namakkal, is quashed and the terms of Joint Compromise affidavit shall form part and parcel of this order.

08.03.2024

krk

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

To

1.Sessions Judge – Fast Track Mahila Court,
Namakkal.

2.The State rep. by,
The Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.

3.Reththinapat,
Social Welfare Extension Officer,
Kabilarmalai, Paramathivelur Taluk,
Namakkal District.

N.ANAND VENKATESH, J.



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

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