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Crl.O.P.No.6912 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.6912 of 2024

Parivallal

... Petitioner

Vs.

1.State of Tamil Nadu rep. by,
The Inspector of Police,
Eriyur Police Station,
Dharmapuri District
(Crime No.69 of 2022)

2.Kala

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records pertaining to charge sheet in Spl.S.C.No.9 of 2023 on the file of the learned Fast Track Mahila Court, Dharmapuri and quash the same by allowing this criminal original petition.

For Petitioner : M/s.Jayshree Dharbar
For Respondents : Mr.A.Gopinath for R1
Government Advocate (Crl. Side)

ORDER

The criminal original petition has been filed seeking to call for



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records pertaining to the proceedings in Spl.S.C.No.9 of 2023, pending on the file of the Fast Track Mahila Court, Dharmapuri 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 victim girl appeared through Video Conferencing platform. She stated that her date of birth is 10.06.2004. She further stated that she married the petitioner and through the marriage she delivered a child on 16.03.2024. The Mother of the victim girl who is the defacto complainant was present before this Court and she confirmed the fact that her daughter has married the petitioner. She requested this Court to close the criminal case.

4.The Joint Memo of Compromise dated 29.02.2024 has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The



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petitioner and the second respondent were also present in person before this Court and they were identified by Mr.R.Rajamani, Sub Inspector of Police, Eriyur Police Station, Dharmapuri. In the joint compromise memo it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Spl.S.C.No.9 of 2023. This Court also enquired both the parties and 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 Gujath)**, and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Spl.S.C.No.9 of 2023 pending on the file of the Fast Track Mahila Court, Dharmapuri.

6.This criminal original petition stands allowed and as a sequel,



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the proceedings in Spl.S.C.No.9 of 2023 on the file of the Fast Track

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N.ANAND VENKATESH,J.

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Mahila Court, Dharmapuri, is quashed and the terms of Joint
Compromise Memo shall form part and parcel of this order.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The Fast Track Mahila Court,
Dharmapuri.
- 2.The Inspector of Police,
Eriyur Police Station,
Dharmapuri District
(Crime No.69 of 2022)
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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