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Crl.O.P.No.5939 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.5939 of 2024

Aruneshwar

.. Petitioner

Vs.

1.The Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Crime No.1500 of 2021)

2.Ramesh

3.Janani

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Special S.C.No.43 of 2023 on the file of the learned Sessions Judge, Mahila Court, Perambalur, Perambalur District and quash the proceedings therein.

For petitioner : Mr.A.Murugavel

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)



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ORDER

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The Criminal Original Petition has been filed to quash the proceedings in Special S.C.No.43 of 2023, pending on the file of the learned Sessions Judge, Mahila Court, Perambalur, Perambalur District.

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 Memorandum of Compromise Memo dated 04.03.2024 has been filed before this Court which has been signed by the petitioner, 2nd respondent and 3rd respondent. The petitioner and the 3rd respondent were also present in person before this Court and they were identified by Mr.V.Arul, SSI, Perambalur Police Station, (Mobile No.94981 65516). In the Memorandum of Compromise Memo dated 04.03.2024 it has been stated that the petitioner and the respondents 2 & 3 have entered into a compromise and amicably settled their issues in Special S.C.No.43 of 2023. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.The victim girl was present before this Court and she stated that



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her date of birth is 12.08.2004. She further stated that she married the petitioner and through the marriage, there is a child aged about 3 months named Nijasthithi. She further stated that her father was not able to come to the Court today, since he is indisposed. She stated that both the families have now accepted the marriage and she is living happily with the petitioner. She requested this Court to close the criminal proceedings.

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 Cr.P.C. quashes the case in Special S.C.No.43 of 2023, pending on the file of the learned Sessions Judge, Mahila Court, Perambalur, Perambalur District.



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6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Special S.C.No.43 of 2023, pending on the file of the learned Sessions Judge, Mahila Court, Perambalur, Perambalur District, is quashed and the terms of Memorandum of Compromise Memo dated 04.03.2024 shall form part and parcel of this order.

12.03.2024

krk

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

To

- 1.The learned Sessions Judge,
Mahila Court, Perambalur,
Perambalur District.
- 2.The Inspector of Police,
Perambalur Police Station,
Perambalur District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

N.ANAND VENKATESH, J.



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