



Criminal Original Petition No.6495 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.6495 of 2024

1.Kirubakaran

2.Rangasamy

... Petitioners

Vs.

1. The State represented by
The Inspector of Police,
Mohanur Police Station,
Namakkal District.
Crime No.420 of 2018

2.Swetha

W/o.Vignesh

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records pending proceedings in Spl.C.C.No.7 of 2019 on the file of Sessions Judge, Fast Track Mahila Court, Namakkal and quash the same.

For Petitioners : Mr.W.Camyles Gandhi

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]
Mr.J.Jayan [R2]



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ORDER

WEB COPY This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.C.C.No.7 of 2019 pending on the file of Sessions Judge, Fast Track Mahila Court, Namakkal.

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 11.03.2024 signed by both parties and affidavits of petitioners and second respondent have been filed before this Court. The petitioners and second 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 petitioners and the second respondent have entered into a compromise and amicably settled their issues in Spl.C.C.No.7 of 2019 pending on the file of Sessions Judge, Fast Track Mahila Court, Namakkal.

4. This Court also enquired both the parties. The victim girl stated



that initially she had love affair with the first petitioner and thereafter, there was a break up in the relationship. Subsequently, the victim girl married one Vignesh and there is a child through the marriage. The victim girl stated that considering the interest of all the parties concerned, she is not interested in prosecuting this case and requested this Court to close the proceedings. 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in Spl.C.C.No.7 of 2019 pending on the file of Sessions Judge, Fast Track Mahila Court, Namakkal.

N.ANAND VENKATESH, J.



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This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.C.C.No.7 of 2019 pending on the file of Sessions Judge, Fast Track Mahila Court, Namakkal, is quashed and the terms of Joint Compromise Memo and the terms of affidavits shall form part and parcel of this order.

18.03.2024

Speaking Order/Non-speaking Order

Index : Yes/No

Neutral citation: Yes/No

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To

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

2. The Inspector of Police,
Mohanur Police Station,
Namakkal District.
Crime No.420 of 2018

3. The Public Prosecutor,
High Court, Madras.

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