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Crl.O.P.No.7276 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.7276 of 2024

G.Manimaran

... Petitioner

Vs.

1.State Rep. by
The Inspector of Police
W-7, All Women Police Station,
Chennai.
(K-3 PS, Crime No.503 of 2019)

2.Ellammal

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the entire records, connected with the case in Spl.S.C.No.79 of 2023 on the file of the learned Sessions Judge (Magalir Neethimandram), Chennai and quash the same.

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

O R D E R

The criminal original petition has been filed seeking to call for the



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records pertaining to the proceedings in Spl.S.C.No.79 of 2023, pending on the file of the learned Sessions Judge (Magalir Neethimandram), Chennai 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 was present before this Court along with her Mother who is the defacto complainant in this case. She stated that her date of birth is 28.11.2003. She further stated that she has married the petitioner and through the marriage, there are two children named Subiksha aged about 3 years and Yogesh aged about two years. She further stated that she is now living happily with the petitioner. The Mother of the victim girl requested this Court to close the criminal case.

4.The Joint Compromise Memo dated 15.03.2024 has been filed before this Court which have been signed by the petitioner and the second respondent and also by the learned counsel for the petitioner.



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The petitioner and the second respondent were also present in person before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and they are made part of the record. In the joint compromise memo it has been stated that the petitioner and the victim girl had entered into a compromise and amicably settled their issues in Spl.S.C.No.79 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 Gujrath)**, 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.79 of 2023 pending on the file of the learned Sessions Judge (Magalir Neethimandram), Chennai.



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

N.ANAND VENKATESH,J.
pri

the proceedings in Spl.S.C.No.79 of 2023 on the file of the learned Sessions Judge (Magalir Neethimandram), Chennai, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

27.03.2024

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Sessions Judge (Magalir Neethimandram),
Chennai.
- 2.The Inspector of Police
W-7, All Women Police Station,
Chennai.
(K-3 PS, Crime No.503 of 2019)
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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