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Crl.O.P.No.20520 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.20520 of 2023

and

Crl.M.P.No.13982 of 2023

Sakthi

.. Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
Vennandur Police Station,
Namakkal District.

2.Srinivasan

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Special C.C.No.108 of 2021 pending on the file of the Fast Track Mahila Court, Namakkal and quash the same.

For petitioner : Mr.A.S.Prabu

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

ORDER



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The Criminal Original Petition has been filed to quash the proceedings in Special C.C.No.108 of 2021, pending on the file of the 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.The Compromise affidavits have been filed before this Court which has been signed by the petitioner, 2nd respondent and their respective counsel. The petitioner, the victim girl and the 2nd respondent were also present in person before this Court and they were identified by Mr.V.Bhaskar, Vennandur Police Station, (Mobile No.94981 09591). In the Compromise affidavit it has been stated that the petitioner and the 2nd respondent have entered into a compromise and amicably settled their issues in Special C.C.No.108 of 2021. This Court also enquired both the parties and was satisfied that the 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 25.12.2002. She further stated that she married the petitioner and through the marriage, twin babies were born named as Kavinesh and Kamalesh, aged about 3 years. She came along with her father, who is the defacto complainant in this case. He stated that the matter has been compromised and that his daughter has married the petitioner and they are living happily. He 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Special C.C.No.108 of 2021, pending on the file of the Fast Track Mahila Court, Namakkal



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6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Special C.C.No.108 of 2021, pending on the file of the Fast Track Mahila Court, Namakkal, is quashed and the terms of Compromise affidavits shall form part and parcel of this order. Consequently, the connected Miscellaneous Petition is closed.

12.03.2024

krk

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

To

- 1.The Fast Track Mahila Court,
Namakkal.
- 2.The State Rep. by
The Inspector of Police,
Vennandur Police Station,
Namakkal District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

N.ANAND VENKATESH, J.



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