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Crl.O.P.No.4523 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.4523 of 2024

M.Boopalan

.. Petitioner

Vs.

1.State, Rep by the
Inspector of Police,
AWPS – Bhavani Police Station,
Bhavani, Erode District.
(Crime No.25 of 2020)

2.XXXX

3.XXXX

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in SPL.S.C.No.23 of 2021 on the file of the Mahila Judge, Erode and quash the same.

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

ORDER

The Criminal Original Petition has been filed to call for the records



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relating to the case in SPL.S.C.No.23 of 2021 on the file of the Mahila Judge, Erode 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 Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner, 2nd respondent, 3rd respondent (victim girl) and also by the learned counsel for the petitioner. The petitioner, the second respondent and the third respondent were also present in person before this Court and they were identified by Ms.S.SanthiPriya, WPC 2688, Bhavani AWPS, Bhavani (Mobile No. 94982 15037). In the Joint Memo of Compromise it has been stated that the petitioner and the respondents 2 & 3 have entered into a compromise and amicably settled their issues in Spl.S.C.No.23 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 along with her mother, who is the defacto complainant in this case. She stated that she had love affair with the petitioner and that she is not interested in continuing with the relationship. She stated that she wants to pursue with her studies. She requested this Court to close the criminal proceedings. The defacto complainant who is the mother of the victim girl also 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 Suprme 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 case in Spl.S.C.No.23 of 2021 pending on the file of Mahila Judge, Erode.



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6.This Criminal Original Petition stands allowed and as a sequel,
the proceedings in Spl.S.C.No.23 of 2021 pending on the file of Mahila
Judge, Erode, is quashed and the terms of Joint Memo of Compromise
shall form part and parcel of this order.

06.03.2024

krk

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

To

- 1.The Mahila Judge,
Erode.
- 2.State, Rep by the
Inspector of Police,
AWPS – Bhavani Police Station,
Bhavani, Erode District.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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N.ANAND VENKATESH, J.

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