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Crl.O.P No.22695 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.22695 of 2023
and Crl.MP.No.15854 of 2023

P.Sundramoorthi

... Petitioner

.VS.

1.State Rep.by its

The Inspector of Police

All Women Police Station

Rasipuram, Namakkal District.

..1st Respondent /Complainant

(Cr.No.6 of 2023)

2. XXX

XXX

Namakkal District.

..2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records connected with the Charge Sheet in SPL.CC.No.52 of 2023, pending on the file of the Fast Track Mahila Court at Namakkal and quash the same.



Crl.O.P No.22695 of 2023

For Petitioner : Mr.S.Varanesh
For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)
for R1
Mr.P.Asai Thami for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in SPL.CC.No.52 of 2023, pending on the file of the Fast Track Mahila Court at 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 petitioner was working as a Physics Professor in the College and the victim girl was studying in the College. When this Court enquired the victim girl as to whether she is withdrawing this complaint on her own volition, she stated that there is no pressure or compulsion exerted on the victim girl. She stated that apart from this solitary incident, there was no other complaint against the petitioner.

4.Considering the nature of allegations made and after hearing the petitioner in person and also the victim girl, this Court deems it fit to quash the proceedings on the ground of compromise.



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5. A Joint Compromise Memo dated 3.10.2023 signed by both petitioner and second respondent and their respective counsel has been filed before this Court. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. The petitioner and the victim girl were also present in person before this Court and they were identified by R.Sumathi, Special Sub Inspector of Police, Rasipuram SWPS, Namakkal District. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. In the Joint Compromise Memo, it has been stated that the petitioner and the victim girl have entered into a compromise and amicably settled their issues in SPL.CC.No.52 of 2023, pending on the file of the Fast Track Mahila Court at Namakkal.

6. 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, quash the proceedings in SPL.CC.No.52 of 2023, pending on the file of the Fast Track Mahila Court at Namakkal.



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7.This Criminal Original Petition stands allowed and as a sequel, the proceedings in SPL.CC.No.52 of 2023, pending on the file of the Fast Track Mahila Court at Namakkal, is quashed and the terms of Joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

02.01.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
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To

- 1.The Inspector of Police
All Women Police Station
Rasipuram, Namakkal District.
2. Fast Track Mahila Court
Namakkal.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J

KP

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02.01.2024

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