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CrI.O.P.No.2911 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.2911 of 2024

Jayadharman

... Petitioner

Vs.

1.State Inspector of Police
W-8 All Women Police Station,
Thirumangalam,
Chennai – 101.
Cr.No.32 of 2021

2.Gajalakshmi

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records of the proceedings in Spl.S.C.No.156 of 2023 on the file of the Hon'ble Sessions Judge, Magalir Neethimandram at Allikulam in connection with Cr.No.32 of 2021 and quash the same and grounds of compromise.

For Petitioners : Mr.S.Senthilvel

For Respondents : Mr.A.Gopinath for R1

Government Advocate (CrI. Side)



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ORDER

The criminal original petition has been filed seeking to call for the records pertaining to the proceedings in Spl.S.C.No.156 of 2023, pending on the file of the Sessions Judge, Magalir Neethimandram at Allikulam 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 Gajalakshmi. She stated that her date of birth is 17.04.2006. She further stated that she had love affair with the petitioner. She further stated that she had completed 12th Standard and she is now doing a beautician course and the petitioner is doing some business. The Mother of the victim girl stated that she will get her daughter married to the petitioner after her daughter attains majority. She further requested this Court to close the criminal proceedings.

4.The Joint Compromise Memo dated Nil has been filed before this Court which has been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the



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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 second respondent had entered into a compromise and amicably settled their issues in Spl.S.C.No.156 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.156 of 2023 pending on the file of the Sessions Judge, Magalir Neethimandram at Allikulam.

N.ANAND VENKATESH,J.
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6.This criminal original petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.156 of 2023 on the file of the Sessions Judge, Magalir Neethimandram at Allikulam, is quashed and the terms of the Joint Compromise Memo shall form part and parcel of this order.

13.02.2024

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The Sessions Judge,
Magalir Neethimandram at Allikulam.

2.The Inspector of Police
W-8 All Women Police Station,
Thirumangalam,
Chennai – 101.
Cr.No.32 of 2021

3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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