



Crl.O.P.No.760 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.760 of 2024

and

Crl.M.P.No.505 of 2024

1. Sathish kumar
2. Selvaraj
3. Kanchana
4. Nirmala

... Petitioners

Vs.

1. State rep. by
The Inspector of Police,
W18 All Women Police Station,
M.K.B.Nagar,
Chennai.
2. Kasthuri
District Child Protection Officer,
District Child Protection Office at
No.58, Suthya Narayana Salai, Royapuram,
Chennai - 13.

... Respondents



CrI.O.P.No.760 of 2024

PRAYER : The Criminal Original Petition has been filed under Section 482 of Cr.P.C. to call for the records pertaining to the final report in Spl.S.C.No.185 of 2022 dated 02.12.2022 on the file of the Magalir Neethimandram at Chennai and compromise and quash the same.

For Petitioners ... Mr.R.Gangadharan

For Respondent ... Mr.A.Gopinath
No.1 Government Advocate (CrI.Side)

ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in Spl.S.C.No.185 of 2022 on the file of the Magalir Neethimandram at 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. A compromise affidavits have been filed by the petitioners before this Court. The petitioners were also present in person before this Court



CrI.O.P.No.760 of 2024

and they were identified by Mr.M.Biruntha, W-18, All Women Police Station, M.K.B.Nagar, Chennai 600 039. In the affidavits it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.185 of 2022 pending on the file of the Magalir Neethimandram, Chennai.

4.This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The victim girl was present before this Court along with her child named Prakatheesh aged about 1 ½ years. She stated that she had an affair with the 1st petitioner and she was married to him and she is living happily with him. The mother and father of the 1st petitioner and also the mother of the victim girl were also present at the time of hearing. They all stated that the 1st petitioner and the victim girl are living happily in the matrimonial home.

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



CrI.O.P.No.760 of 2024

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. 185 of 2022, pending on the file of the Magalir Neethimandram, Chennai.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.185 of 2022, pending on the file of the Magalir Neethimandram, Chennai., is quashed and the terms of Compromise affidavits shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
sk

19.01.2024

To



CrI.O.P.No.760 of 2024

1. The Magalir Neethimandram,
Chennai.

2. The Inspector of Police,
W18 All Women Police Station,
M.K.B.Nagar,
Chennai.

3. Kasthuri
District Child Protection Officer,
District Child Protection Office at
No.58, Suthya Narayana Salai, Royapuram,
Chennai - 13.

4. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

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