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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.1044 of 2024

Ajjith

...Petitioner /Accused

.Vs.

1.State rep.by
Inspector of Police
W-20 All Women Police Station
Saidapet, Chennai-600 015.

... Respondent /
Respondent

(Crime No.506 of 2021 filed by
R6 Kumaran Nagar Police Station, Chennai)

2.Rajeswari

..2nd respondent/Complainant

3.XXXXX Female A-19 years
Chennai 600 119.

..3rd respondent/Victim girl

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the proceedings in Spl.SC.No.37 of 2023, on the file of the Magalir Neethiandram, Allikulam at Chennai and quash the entire proceedings and allow the compromise memo.

For Petitioner : Mr.Raju sharma

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

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.SC.No.37 of 2023, on the file of the Magalir Neethiandram,



Allikulam, Chennai.

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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 and she stated that her date of birth is 10.8.2004. She further stated that she married the petitioner and there is also a child through the marriage. The child is named Kirthisaran, aged about 1 ½ years and the child was also brought during the hearing. The victim girl was accompanied by her mother, who is the de facto complainant. She stated that she is living happily with the petitioner. She requested this Court to close the criminal case.

4. A Compromise Memo dated 8.1.2024 signed by both petitioner and second respondent/victim 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 third respondent/victim girl were also present in person before this Court. In the affidavit, it has been stated that the petitioner and the second respondent/victim girl have entered into a compromise and amicably settled their issues in Spl.SC.No.37 of 2023, on the file of the Magalir Neethiandram,

Allikulam, Chennai.



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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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the proceedings in Spl.SC.No.37 of 2023, on the file of the Magalir Neethiandram, Allikulam, Chennai.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.SC.No.37 of 2023, on the file of the Magalir Neethiandram, Allikulam, Chennai, is quashed and the terms of compromise memo shall form part and parcel of this order.

23.01.2024

Speaking Order/Non-Speaking Order
Index: Yes/No
Internet: Yes/No
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N.ANAND VENKATESH.J.,

kp

To

1. Inspector of Police
W-20 All Women Police Station
Saidapet, Chennai-600 015.
2. Magalir Neethiandram,
Allikulam, Chennai.
3. The Public Prosecutor,
High Court of Madras,
Madras.

Crl.OP No.1044 of 2024

23.01.2024