



Crl.O.P.No.1191 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1191 of 2024

Manjunathan

... Petitioner

Vs.

1.The Inspector of Police
Karimangalam Police Station
Dharmapuri District.
(Crime No.352 of 2021)

2.Palaniyammal

...Respondents

Prayer: Criminal Original Petition under Section 482 of the Criminal Procedure Code to call for records pertaining to the charge sheet in Spl.SC.No.12 of 2022 pending on the file of the Fast Track Mahila Court, Dharmapuri and quash the same.

For Petitioner : Mr.M.P.Saravanan

For Respondent-1 : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

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The Criminal Original Petition has been filed to call for the records relating to the case in Spl.S.C.No.12 of 2022 on the file of the Fast Track Mahila Court, Dharmapuri 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 Joint Memo of Compromise dated December, 2023 signed by both petitioner and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. A compromise affidavit has also been filed by the second respondent/de-facto complainant before this Court. The petitioner and second respondent were also present in person before this Court. In the affidavit it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.12 of 2022 pending on the file of the Fast Track Mahila Court, Dharmapuri District.



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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 mother who is the defacto complainant. She stated that her Date of Birth is 05.11.2004 and that she got married to the petitioner on 27.03.2023. She further stated that she is now living happily with the petitioner. The mother of the victim girl, who is the defacto complainant, stated that her daughter is living happily with the petitioner. She further stated that she does not want to prosecute this case.

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. 12 of 2022, pending on the file of the Fast Track Mahila Court,



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Dharmapuri District, in entirety.

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6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.12 of 2022, pending on the file of the Fast Track Mahila Court, Dharmapuri District, is quashed and the terms of Joint Memo of Compromise and affidavit shall form part and parcel of this order.

24.01.2024

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Index : Yes/No
Speaking order:Yes/No
Neutral citation:Yes/No

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To

To

1.The Fast Track Mahila Court,
Dharmapuri.

2.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH,J

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