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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2024

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

CrI.O.P(MD)No.2489 of 2023

and

CrI.M.P(MD)No.2217 of 2023

1. Raja

2. Tamilselvan

3. Pechiyammal

4. Chandhirabose @ Chandrabose

5. Ponnupillai @ Pandiyamma

... Petitioners

Vs

1. The Inspector of Police,
Thirumangalam AWPS Police Station,
Madurai District.
Crime No. 34 of 2022.

2. Rural Welfare Officers (Women),
Kallikudi Union,
Thirumangalam Taluk,
Madurai District.

3. Xxxx

... Respondents

PRAYER: Criminal Original petitions have been filed under Sections 439
(1) (b) of the Code of Criminal Procedure, to call for the records in Crime



No.34 of 2022, dated 08.11.2022 pending on the file of the first respondent police and quash the same as against the petitioners.

For Petitioners : Mr.S.Sivaprakash

For R1 : Mr.A.Albert James
Government Advocate (Crl.Side)

For R3 : Mr.S.Sankar

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.34 of 2022, pending on the file of first respondent.

2.The case is still at the stage of investigation. 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 the child aged about two years. The first petitioner, who is the husband of the victim girl was also present before this Court.



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4. Joint Memo of Compromise dated NIL (filed on 07.02.2023)

signed by both petitioners and the third respondent/De facto Complainant and their respective counsel has been filed before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are made part of the record. The petitioners and the third respondent were also present in person before this Court and they were identified by Mrs.M.Vanitha, Woman Special Sub Inspector of Police, Thirimangalam All Women Police Station. In the Joint Memo of Compromise, it has been stated that the petitioners and the third respondent have entered into a compromise and amicably settled their issues in Crime No.34 of 2022, pending on the file of the first respondent. 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 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 FIR in Crime No.34 of 2022, pending on the file of first respondent.

6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.34 of 2022, pending on the file of first respondent is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

20.11.2024

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR

To

1. The Inspector of Police,
Thirumangalam AWPS Police Station,
Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

N.ANAND VENKATESH, J.



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LR

Crl.O.P(MD)No.2489 of 2023

20.11.2024