



Crl.O.P.(MD)No.17144 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 29.04.2024

CORAM:

THE HON'BLE MR JUSTICE A.A.NAKKIRAN

Crl.O.P.(MD)No.17144 of 2022

and

Crl.MP(MD)Nos.11545 and 11547 of 2022

and

Crl.M.P(MD)No.5077 of 2024

1.M.Muthumani
2.M.Arulpandi
3.A.Pooja
4.M.Guruvammal
5.M.Perumayi
6.Muniyandi

... Petitioners / Accused Nos.1 to 6

Vs.

1.The Inspector of Police,
Saptur Police Station,
Madurai,
Madurai District.
(Crime No.72 of 2020)

... 1st Respondent/Complainant

2.M.Karuthapandi

... 2nd Respondent/Defacto Complainant

Prayer:Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in Spl.S.C.No.85 of 2020 before the District and Sessions Court, Madurai District and quash the same against the petitioners.



Crl.O.P.(MD)No.17144 of 2022

For Petitioners : Mr.M.Murugesan
For R1 : Mr.R.M.Anbunithi
Government Advocate (Crl.Side)
For R2 : Mr.S.Anandha Murugan

ORDER

This petition has been filed to quash the charge sheet in Spl.S.C.No. 85 of 2020 pending on the file of the District and Sessions Court, Madurai District against the petitioners.

2. The case of the prosecution is that the victim girl fell in love with the 1st petitioner. When the victim's family came to know about the love affair, they made arrangements for marriage with another person to her, who is aged about 35 years. So the victim girl reported the same to the petitioner No.1, who is working in Defence through phone. By the advice of the first petitioner, the petitioner Nos.2 to 4 kidnapped the victim and detained her in the 5th petitioner's house. The petitioners 2 and 6 visited the said house and advise the victim girl to be there till she attains majority. Based on the complaint given by the victim's father, a case has been registered in Crime No.72 of 2020 for the offence under Sections 344, 366, 366(A) of IPC and



Crl.O.P.(MD)No.17144 of 2022

Section 18 of the Protection of Child from Sexual Offences Act 2012

against the petitioners.

3. The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners, second respondent and the victim and also by their respective counsel. The petitioners and the second respondent and the victim were also present in person before this Court and they were identified by the learned Government Advocate (Criminal side). This Court also enquired both the parties and they accepted the terms of compromise and prayed to quash the charge sheet in Spl.S.C.No.85 of 2020

5. The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Panjab and another*** reported in ***(2012)10 SCC 303*** and ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*** reported in ***(2017)9 SCC 641*** is taken into consideration.



Crl.O.P.(MD)No.17144 of 2022

WEB COPY

6. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memo, dated 25.04.2024, this Court is of the opinion that no useful purpose will be served by keeping the matter pending.

7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.85 of 2020 on the file of the learned District and Sessions Judge, Madurai District, is quashed and the Joint Compromise Memo is recorded. The terms of joint compromise memo shall form part and parcel of this order. Consequently, the connected miscellaneous petitions are closed.

29.04.2024

NCC : Yes/No
Internet: Yes/No
Index : Yes/No
VSD



WEB COPY



Crl.O.P.(MD)No.17144 of 2022

To

- 1.The District and Sessions Court,
Madurai District.
- 2.The Inspector of Police,
Saptur Police Station,
Madurai,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.17144 of 2022

A.A.NAKKIRAN, J.,

VSD

Crl.O.P.(MD)No.17144 of 2022
and
Crl.MP(MD)Nos.11545 and 11547 of 2022
and
Crl.M.P(MD)No.5077 of 2024

29.04.2024