



Crl.O.P.(MD)No.1153 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.1153 of 2025

Alaguraja

... Petitioner

Vs.

1. The Inspector of Police,
All Women Police Station,
Nilakottai,
Dindigul District.
(Crime No.11/2024).

2. Shyamala

3. Xxxxxx

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, To call for the records pertaining to the Charge Sheet in Spl.SC.100 of 2024 on the file of the Fast Track Mahila Court, Dindigul in Crime No.11 of 2024 On the file of the Respondent No.1 and Quash the same as illegal.

For Petitioner : Mr.R.Venkatesan

For R1 : Mr.K.Sanjai Gandhi
Government Advocate
(Criminal Side)

For R3 : Mr.A.Abbas Mandhiri



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ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in Spl.SC.100 of 2024 on the file of the Fast Track Mahila Court, Dindigul.

2. The case of the prosecution is that the accused and the victim, minor girl, are relative and they fell in love with each other and they had physical relationship and the victim got pregnant. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the second respondent lodged a complaint before the first respondent in Crime No.11 of 2024 and after investigation, final report was filed and the same was taken cognizance in Spl.SC.100 of 2024 on the file of the Fast Track Mahila Court, Dindigul for the offences under Sections 5(1), 5(j)(ii) r/w Section 6 of the Protection of Child from Sexual Offences Act, 2012 against the petitioner.

4. The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. Now, both realized their mistakes, reconciled and



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second respondent agreeing to withdraw the complaint, not willing to pursue the case.

5. A Joint Memo of Compromise is filed before this Court signed by the petitioner and the second respondent and their respective counsels as well as by the victim. The petitioner and the second respondent and the victim are present before this Court and identified by Ms.Y.Latha, SSI of Police, All Women Police Station, Dindigul, as well as by the learned counsel appearing for the parties. This Court enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves on their own without any compulsion.

6. In the instant case, the petitioner and the victim got married and they are living together. The marriage certificate is also enclosed in the typed set of papers. Now the parties have compromised the matter. The High Court has power to quash the complaint even in non compoundable cases, considering the facts and circumstances of the case.

7. The legal position expressed by the Hon'ble Apex Court in the case of *K.Dhandapani Vs. State by the Inspector of Police* reported in *2022 SCC Online SC 1056* is taken into consideration.



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8. In the light of the guidelines issued in the above said judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in Spl.SC.100 of 2024 on the file of the Fast Track Mahila Court, Dindigul even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition is allowed and the proceedings in Spl.SC.100 of 2024 on the file of the Fast Track Mahila Court, Dindigul is quashed as against the petitioner and the joint compromise memo shall form part and parcel of this order.

NCC : Yes / No
Index : Yes / No
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22.01.2025

To

- 1.The Fast Track Mahila Court, Dindigul
- 2.The Inspector of Police,
All Women Police Station,
Nilakottai, Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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