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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2025

CORAM

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

Crl.O.P(MD)No.4337 of 2023

1. Sundar Raj

2. Sunthari

3. Sudalaivadivu

... Petitioners

Vs

1. The Inspector of Police,
AWPS,Thiruchendur Police Station,
Thoothukudi District.
In Crime No.06 of 2020.

2. Devika,
Rural Welfare Officer,
Alwarthirunagari,
Thenthiruperai,
Thoothukudi District

3. XXXXXXXX

... Respondents

PRAYER: Criminal Original petitions have been filed under Sections 439 (1) (b) of the Code of Criminal Procedure, call for the records in C.C.No. 205 of 2022 on the file of the Judicial Magistrate Court, Sathankulam and quash the same against the petitioners.



For Petitioners : Mr.Pon Karthikeyan R,

For R1 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

For R3 : Mr.P.Suresh

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.205 of 2022, on the file of the learned Judicial Magistrate, Sathankulam.

2. The case is still in 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 along with the petitioners (A1 to A3). She stated that her date of birth is 14.03.2003 and that she has married the first petitioner and through the wedlock, there is a child aged about three years and another infant aged about 3 months. The



children were also brought at the time of hearing.

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4. Joint compromise memo dated 01.01.2025, has been filed before this Court which has been signed by the petitioners and the third respondent/Victim and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mrs.A.P.Mary, SI of Police, Tiruchendur Police Station. In the affidavit, it has been stated that the petitioners and the third respondent have entered into a compromise and amicably settled their issues in C.C.No.205 of 2022, on the file of the learned Judicial Magistrate, Sathankulam.

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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., to quash the proceedings in C.C.No.205 of 2022, on the file of the learned Judicial Magistrate, Sathankulam.



5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.205 of 2022, on the file of the learned Judicial Magistrate, Sathankulam, is hereby quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

20.01.2025

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

To

1. The Judicial Magistrate Court, Sathankulam

2.The Inspector of Police,
AWPS,Thiruchendur Police Station,
Thoothukudi District.

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



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N.ANAND VENKATESH, J.

LR

Crl.O.P(MD)No.4337 of 2023

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