



CRL.OP(MD) NO.24 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL.OP(MD) No.24 of 2024

M.Azhakumuthu @ Alagumuthu

... Petitioner

.VS.

1. The State Rep. by
The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.
(Crime No.13 of 2017)

2. XXXXX

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records pertaining to the Spl.C.C.No.35 of 2019 on the file of the Special POSCO Court, Tirunelveli and quash the same as illegal.

For Petitioner : Mr.M.Perumal

For R1 : Mr. M.Vaikkam Karunanithi
Government Advocate (Crl side)

For R2 : Mr.M.Anbarasan



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ORDER

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This Criminal Original Petition has been filed by the petitioner to quash the charge sheet in Spl.C.C.No.35 of 2019 before the Special POSCO Court, Tirunelveli.

2. When the matter is taken up for hearing today, the learned counsel appearing on either side and victim also present. Both the victim and the accused filed joint compromise memo stating that the 2nd respondent was married to someone and she is leading her life in a peaceful manner and the victim has no objection to quash the charge sheet.

3. Today both the parties present and this Court also enquired the victim as well as the accused and both stated that they entered into compromise. Therefore it is appropriate to allow the petition based on the compromise arrived at between the parties.

4. The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Punjab and another*** reported in (2012) **10 SCC 303** and ***Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat***



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reported in **(2017) 9 SCC 641** were taken into consideration.

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5. In view of the above said judgments and the fact that the victim was married to someone and she is leading her life in a peaceful manner and though charges are grave in nature and considering that the parties are entered into an amicable settlement between themselves, this Court is of the view that the compromise is to be accepted. Therefore in order to meet the ends of justice by invoking inherent power of this Court, this Criminal Original Petition stands allowed and the pending proceedings against the petitioner in Spl.C.C.No.35 of 2019 on the file of the Special Court for POSCO Act Cases, Tirunelveli is hereby quashed.

28.04.2025

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

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P.DHANABAL, J.

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To

1. The Special Court for POSCO Act Cases,
Tirunelveli.
2. The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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