



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2021

CORAM

THE HON'BLE MRS.JUSTICE J.NISHA BANU

CRL.OP(MD)No.14331 of 2020

and

CRL.MP(MD).No.6683 of 2020

1. M.Ranjith Kumar
2. K.Murugesan
3. M.Chitra
4. R.Mani
5. M.Kamatchi Ammal
6. M.Ganesh
7. P.Suruliappan
8. M.Murugan
9. S.Palanisamy

... Petitioners /
Accused Nos.1 to 9

Vs.

1. State rep. by its
The Inspector of Police,
Gudalur South Police Station,
Theni District.
(Crime No.188/2014)

.... Respondent/ Complainant

2. N.Sivakumar

... Respondent/
Defacto Complainant

Prayer: Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the case in C.C.No.267 of 2015 on the file of the Judicial Magistrate, Uthamapalayam, Theni District and quash the same.

For Petitioners : Mr.S.Ramasamy

For R1 : Mr.V.Neelakandan,
Additional Public Prosecutor

O R D E R

This petition has been filed to quash the case in C.C.No.267 of 2015 on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District.



2. The learned Counsel for the petitioners would submit that on 01.12.2014, to prevent the child marriage between the first petitioner herein and the daughter of the 2nd and 3rd petitioners who was a minor, a case was registered in Crime No.188 of 2014 for the offences under Sections 9,10 and 11 of the Prohibition of Child Marriage Act, 2006. He would state that the first petitioner is the husband of alleged minor girl, the second and third petitioners are the parents of the minor girl, fourth and fifth petitioners are the parents of the first petitioner/husband and petitioners 6 to 8 are the participants in the marriage and they were all present before this Court.

3. The learned counsel appearing for the petitioners has drawn the attention of this Court to the paragraph No.5 of the affidavit filed in support of the petition, wherein, it is stated that the occurrence took place in the year 2014 and now the first petitioner/husband and his wife Prabha is living happily along with two children. The victim also filed an affidavit to that effect and at this circumstances, she prays this Court to quash the proceedings in C.C.No.267/2015, on the file of the learned Judicial Magistrate, Uthamapalayam, Theni.

4.Since, the victim girl has attained majority and no grievance was expressed against the first petitioner/husband and she has also filed an affidavit to that effect, no useful purpose would be achieved by allowing this proceeding to continue. It will only hinder the peaceful life which the victim girl is leading and therefore, I am inclined to allow this petition. Accordingly, this criminal original petition is allowed and the proceeding in C.C.No.267/2015 is quashed. Consequently, Crl.MP(MD)No.6683 of 2020 is closed.

Sd/-

Assistant Registrar (RIT Act)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Msa

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The Judicial Magistrate,
Uthamapalayam, Theni.

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

Cr1.O.P. (MD) No.14331 of 2020

11.01.2021

MJ (CO)

NR (09/02/2021) 3P : 3C