



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.05.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY
Crl.O.P.No.11886 of 2022
and Crl.M.P.No.6710 of 2022

1. Nithesh Kuttan
2. Milisin
3. Sanjay Kuttan
4. Manjulasin

.. Petitioners

Vs.

1. State Rep by
The Inspector of Police,
All Women Police Station,
Ooty, Tamil Nadu - 643 001.
(Crime No.17 of 2021)

2. Helen Christinal,
Maiya Nirvagi,
Social Welfare Office,
Udhagai, The Niligris

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code seeking to call for the records relating to Crime No.17 of 2021 on the file of the first respondent police and quash the same.

For Petitioners : Mr.Govind Chandresekhar
For Respondents : Mr.A.Damodaran, APP

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O R D E R

This criminal original petition has been filed seeking to quash the FIR in Crime No.17 of 2021, registered under Sections 5(1) and 6 of the Protection of Child from Sexual Offences Act, 2012 and under Sections 9, 10 and 11 of Prohibition of Child Marriage Act, 2006, on the file of the first respondent police.

2. The facts of the case is that the first petitioner and the victim girl belongs to Toda community and as per their customary practices they got married and the victim girl became pregnant and when she was admitted in the hospital for delivery of the child, the hospital authorities through the second respondent forwarded a complaint against the petitioners, as at that point of time, the victim girl did not complete the age of 18 years.



3. Now, the victim girl has completed 18 years of age and has filed an affidavit stating that she willfully and voluntarily is a party to the marriage and that she wants to continue the lawful wedlock which was done as per the customary rites of their community.

4. Considering the nature of the case and considering the affidavit filed by the victim girl and in view of the compromise between the parties and as the case is arising out of the marriage, I am inclined to allow the criminal original petition and accordingly the F.I.R.No.17 of 2021 on the file of the first respondent police shall stand quashed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kk/drm

To

1. The Inspector of Police,
All Women Police Station,
Ooty, Tamil Nadu - 643 001.
(Crime No.17 of 2021)

2. The Public Prosecutor,
Madras High Court.

+1 cc to Mr..Govind Chandresekhar, Advocate Sr.NO. 31867

Cr1.O.P.No.11886 of 2022
and Cr1.M.P.No.6710 of 2022

SKM(CO)
A.SK(15/06/2022)