



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD) .No.8152 of 2022

WEB COPY

M.Muthukani

...Petitioner/ Sole Accused
Vs.

1.State rep. by

The Inspector of Police,
All Women Police Station
Kovilpatti,
Thoothukudi District.
(Crime No.7/2022)

... 1st Respondent/ Complainant

2.XXXX

Thoothukudi District.

... 2nd Respondent/ Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to stay all further proceedings in Crime No.7/2022, on the file of the first respondent police, pending disposal of the above criminal original petition.

For Petitioner : Mr.R.J.Karthick

For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R-2 : Mr.L.Subramanian Kishore

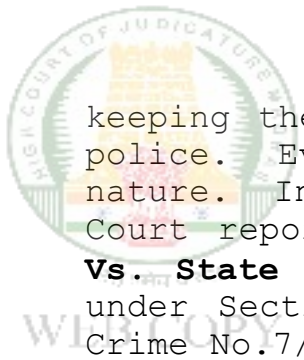
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.7/2022, on the file of the first respondent police, for an alleged offences under Section 9 of Prohibition of Child Marriage Act, 2006 and Sections 5(n), 5(i), 5(j)(ii) and 6 of Protection of Child from Sexual Offences Act, 2012.

2.The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel.

4.Under such circumstances, no useful purpose will be served in
<https://hcservices.ecourts.gov.in/hcservices/>



keeping the First Information Report pending before the respondent police. 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. quashes the First Information Report in Crime No.7/2022, on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.7/2022, on the file of the first respondent police, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order. Further, it is seen that the victim girl is aged about only 17 years and her date of birth is 30.01.2005. Whenever, the victim girl attains majority, the petitioner should register his marriage with the second respondent(victim) and produce the certificate of their marriage registration before the first respondent on or before **15.02.2023**, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Enclosed herewith Copy of the Joint Compromise Memo

To

1. The Inspector of Police,
All Women Police Station
Kovilpatti,
Thoothukudi District.

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

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RD(11.05.2022) 2P 3C