



Crl.O.P No.17453 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

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1. Shanmugam
S/o. Arumugam

2. Saraswathi
W/o. Shanmugam

3. Rajendren
S/o. Mani

4. Senthamarai
W/o. Rajendran

... Petitioners

vs.

1. The State represented by its
The Inspector of Police,
All Women Police Station,
Sethiyathope, Cuddalore District.
Crime No.04 of 2021

2. G. Anbazhagi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for records and quash PRC No.04 of 2023 on the file of Judicial Magistrate I, Chidambaram District as against the petitioners herein.



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For Petitioners : Mr.D.Padmanabhan

For Respondents : Mr.A.Gopinath

Government Advocate [Crl.side][R1]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in PRC No.04 of 2023 on the file of Judicial Magistrate I, Chidambaram District.

2. The case is still at 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 proceedings are pending against the accused persons for offences u/s.9 and 10 of Prohibition of Child Marriage Act, 2006. A compromise affidavit has been filed by the second respondent/*de facto* complainant before this Court. The petitioners and second respondent were also present in person before this Court and they were identified by Ms.A.L.Manimekalai, Woman Head Constable 323, Sethiyathope All Women Police Station [94981 54590]. In the affidavit, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in PRC No.04 of 2023 on the file of Judicial Magistrate I, Chidambaram District.

4. This Court also enquired both the parties. The victim girl Ranjini was



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present before this Court. She stated that her date of birth is 05.03.2005 and that she has married Rayappan and she is now living happily with him. The petitioners 1 and 2 are her in-laws and respondents 3 and 4 are her parents.

5. In view of the fact that the girl has married her uncle's son and both the families have agreed to the said marriage and the girl has also become a major and is living with A1, 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)** and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in PRC No.04 of 2023 on the file of Judicial Magistrate I, Chidambaram District.



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N. ANAND VENKATESH., J

gm

This Criminal Original Petition stands allowed and as a sequel, the proceedings in PRC No.04 of 2023 on the file of Judicial Magistrate I, Chidambaram District is quashed and the terms of affidavit shall form part and parcel of this order.

07.08.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm

To

- 1.The Judicial Magistrate I,
Chidambaram District.
- 2.The Inspector of Police,
All Women Police Station,
Sethiyathope, Cuddalore District.
Crime No.04 of 2021
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

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