



CrI.O.P.No.23619 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2023

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.23619 of 2023

and

CrI.M.P.No.16437 of 2023

B.Anand

.. Petitioner

/versus/

1.State Represented by
The Inspector of Police,
All Women Police Station,
Gudalur Police Station,
Nilgiris District.

2.Premavathi

.. Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the Charge Sheet in Spl.C.C.No.38 of 2023 pending on the Mahalir Neethimandram, Udhagamandalam FTMC, quash the same.

For Petitioner : Mr.B.Sridhar

For R1 : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)



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ORDER

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It is a case of pre-marital relationship between the petitioner and the 16 ½ years old girl who got conceived due to physical relationship and when that was made known to the parents during the medical examination, case has been registered under Sections 5(i), 5(j)(ii) and 6 of POCSO Act as against the petitioner.

2. After completion of investigation, collecting the DNA reports, the respondent police has filed final report and same has been taken on file by the Mahalir Neethimandram, Udhagamandalam in Spl.C.C.No.38 of 2023. Meanwhile on attaining majority, the minor girl had married the petitioner and now living with him. The present petition to quash the case relying upon the subsequent facts and the statement of the girl that not to proceed on her complaint.

3. When the parties presented before this Court and supported the petition, this Court directed the learned Government Advocate (Crl.Side) to verify whether the petitioner and the defacto complainant are married and



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living as husband and wife. Today, the learned Government Advocate (Crl.Side) reports that the petitioner and the defacto complainant after solemnizing the marriage on 21.07.2023 living in Kurumber Palayam, Bokkapuram, Masinagudi, Ooty and the marriage was duly registered at Sub Registrar Office, Periamedu.

4. In view of this subsequent development and taking note of the fact that even during the course of investigation, the girl has given statement that she voluntarily had sexual relationship with the petitioner and they both had an intention of marriage in due course, this Criminal Original Petition is therefore allowed. Criminal complaint against the petitioner is hereby quashed. Consequently, the connected Criminal Miscellaneous Petition is closed.

18.12.2023

Netural Citation:yes/no
rpl

Dr.G.JAYACHANDRAN, J.

rpl

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To:

1.The Mahalir Neethimandram, Udhagamandalam FTMC.

2.The Inspector of Police,
All Women Police Station,
Gudalur Police Station,
Nilgiris District.

3.The Public Prosecutor,
High Court of Madras,
Chennai.

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