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Crl.O.P.No.15793 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.15793 of 2024

Vishal @ Vishal Ram

... Petitioner

Vs.

1.State Rep.by
The Inspector of Police,
W-9, Villivakkam All Women Police Station,
Chennai-600 049.
Crime No.11 of 2021

2.Devi

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C.,
pleaded to call for the records and quash the proceedings pending trial in
Spl.S.C.No.127 of 2023 on the file of the learned Sessions Judge, Mahila
Court, Allikulam, Chennai for an offence under Section 366 IPC and
Sections 5(j)(ii) r/w 6 of POCSO Act, 2012.

For Petitioner : Mr.Durai Kanan

For R1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

For R2 : Mr.K.Janakiraman

ORDER



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The petitioner herein is an accused in Spl.S.C.No.127 of 2023, on the complaint given by one Devi. The respondent police has registered a case in Crime No.11 of 2021 dated 26.10.2021 for investigating the case of forceful intercourse and impregnating her minor daughter by one Vishal, since the daughter of the complainant was about 16 years old at that time.

2. The statement of the victim girl indicates that the accused/petitioner residing near the residence of the accused had love affair and voluntarily she had intercourse with him. After attaining majority, it appears that the daughter of the complainant and the accused Vishal got married on 17.09.2023 at Gomathi Vasantha Thirumana Mandapam, Perambur, Chennai and living as husband and wife with patronage of their respective relatives. Hence the petition is filed to quash the Spl.S.C.No.127 of 2023 pending against this petitioner for the offence under Section 366 IPC and Sections 5(j)(ii) r/w 6 of POCSO Act, 2012.

3. Considering the submissions, this Court called for report from Probation Officer. The investigation report dated 11.09.2024 states



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that the accused and the daughter of the complainant have married and living happily. The girl is continued her studies and presently in III year of BBA. The petitioner, defacto complainant and her daughter are present today before this Court and states that they don't want to pursue the matter, since it will affect the future of the petitioner as well as the daughter of the complainant, who is presently pregnant.

4. Recording the same, this Court in exercise of inherent power confers under Section 528 of BNSS quashed the Spl.S.C.No.127 of 2023 in the interest of the parties involved. In the result, this Criminal Original Petition is disposed of.

12.09.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Sessions Judge, Mahila Court, Allikulam, Chennai.

2.The Inspector of Police,
W-9, Villivakkam All Women Police Station,
Chennai-600 049.

Dr.G.JAYACHANDRAN,J.

rpl

3.The Public Prosecutor,



High Court of Madras,
Chennai.

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