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CrI.O.P.(MD)No.7759 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.05.2024

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

CrI.O.P(MD)No.7759 of 2024
and
CrI.M.P(MD)Nos.5425 & 5427 of 2024

Mayandi

... Petitioner /
Sole Accused

Vs.

1.The Inspector of Police,
AWPS-Pudukottai,
Thoothukudi District.
(Crime No.18 of 2021)

... 1st Respondent /
Complainant

2.Kodieshwari

... 2nd Respondent /
Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the final report in Special S.C.No.70 of 2022 on the file of the learned Sessions Judge, Mahalir Court, Thoothukudi registered under Crime No.18 of 2021 dated 17.12.2021 on the file of the first respondent.

For Petitioners : Mr.I.Robert Chandrakumar



CrI.O.P.(MD)No.7759 of 2024

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor for R.1

Mr.B.Ravindran for R.2

ORDER

This petition has been filed to call for the records and quash the final report in Special S.C.No.70 of 2022 on the file of the learned Sessions Judge, Mahalir Court, Thoothukudi registered under Crime No. 18 of 2021 dated 17.12.2021 on the file of the first respondent.

2.The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.18 of 2021 for the offences punishable under Section 9 of the Prohibition of Child Marriage Act, 2006 and Sections 5(1), 5(j)(ii) and 6 of the Prohibition of Child from Sexual Offences Act, 2012 against the petitioner.

3.The further contention of the petitioner is that he compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the second respondent and also by their respective counsels.



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4.The petitioner and the 2nd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. It is seen that marriage is not registered and the parties are directed to register the same and submit the registration certificate before this Court.

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memo, dated 23.05.2024, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in S.C.No.70 of 2022 on the file of the learned Sessions Judge, Mahalir Court, Thoothukudi is quashed and the compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

6.In the result, the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.



Crl.O.P.(MD)No.7759 of 2024

7.Registry is directed to list this matter after two months for reporting compliance.

23.05.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
MGA

To

- 1.The Inspector of Police,
AWPS-Pudukottai,
Thoothukudi District.
2. The Sessions Judge, Mahalir Court, Thoothukudi.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.7759 of 2024

S.SRIMATHY. J.

MGA

Crl.O.P.(MD)No.7759 of 2024

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