



Crl.O.P.No.1476 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2025

CORAM:

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

Crl.O.P.No.1476 of 2023

Seerangan

... Petitioner

Vs.

1.The State,
Rep.by the Inspector of Police,
Nallipalayam Police Station,
Namakkal District.

2.The Rural Women Welfare Officer,
Puduchathiram Block,
Namakkal.

3.Mrs.S.Mageswari

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to
quash the Spl.C.C.No.53 of 2022, on the file of the Inspector of Police,
Nallipalayam Police Station, Namakkal District.

For Petitioner : Mr.R.Kamaraj

For R1 & R2 : Mr.K.M.D.Muhilan
Government Advocate (Crl.side)



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ORDER

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This petition has been filed to quash the proceedings in Special S.C.No.53 of 2022, pending on the file of the learned Fast Track Mahila Court, Namakkal, as against the petitioner, thereby taken cognizance for the offences under Section 366 of IPC, Sections 6, 5(l), 5(j) (ii) of Protection of Child from Sexual Offences Act, 2012 and Sections 9 & 10 of Prohibition of Child Marriage Act, 2006.

2. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. An affidavit has been filed by the petitioner before this Court stating that now he married the victim girl and living with her in a very happiest manner. All the parties are present and identified by their respective counsel and the Police. The parties have filed a memorandum of compromise entered into between the petitioner, third respondent and the third respondent's daughter/victim. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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4. It is seen that now the victim girl attains majority and she married the petitioner/accused and gave birth to a child. Their marriage also got registered before the authority concerned. Now both are living happily and therefore, the petitioner need not go for ordeal of trial.

5. Under such circumstances, no useful purpose will be served in keeping the proceeding 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)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in Special S.C.No.53 of 2022, pending trial on the file of the learned Fast Track Mahila Court, Namakkal.

6. In view of the above, the proceedings in Special S.C.No.53 of 2022, on the file of the learned Fast Track Mahila Court, Namakkal, is hereby quashed as against the petitioner. The memorandum of compromise entered into between the parties shall form part and parcel of this Order.



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7. Accordingly, the Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petition, if any, are also closed.

13.02.2025

sli

Internet:Yes

Index:Yes/No

Speaking/Non speaking order

To

1.The State,
Rep.by the Inspector of Police,
Nallipalayam Police Station,
Namakkal District.

2.The Rural Women Welfare Officer,
Puduchathiram Block,
Namakkal.

3.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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