



Crl.O.P.No.10010 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2025

CORAM:

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

Crl.O.P.No.10010 of 2025

Balamurugan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by Inspector of Police,
All Women Police Station, Palladam
Tiruppur District
(Crime No.8 of 2021)

2.XXXXXXXX

3.XXXXXXXX

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Special S.C.No.74 of 2022 pending on the file of the learned Magalir Neethimandram, (Fast Track Mahila Court), Tiruppur District and to quash all further proceedings therein.

For Petitioner : Mr.G.Saravanan

For Respondents

For R1 : Mr.A.Gopinath,
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.74 of 2022 pending on the file of the learned Magalir Neethimandram, (Fast Track Mahila Court), Tiruppur District, thereby taken cognizance for the offences under Sections 5(1), 5(j)(ii), 6, 3(a), 4(2) of POCSO Act and Section 376(3) of IPC.

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

3. A Joint Compromise Memo has been filed by the petitioner and the victim girl before this Court stating that she married the petitioner and thereafter, she delivered a female child. She also stated that they are living together happily. Both of them are present and identified by the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card and it is made part of the record. 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 viz., the second respondent has become the wife of the petitioner and also delivered a child. Now both are said to be living happily. The victim also stated that her marriage with the petitioner was also registered before the competent authority. Therefore, the petitioner does not need to 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 Gujraht)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in Special S.C.No.74 of 2022 pending trial on the file of the learned Magalir Neethimandram, (Fast Track Mahila Court), Tiruppur District.

6. In view of the above, the proceedings in Special S.C.No.74 of 2022 pending on the file of the learned Magalir Neethimandram, (Fast Track Mahila Court), Tiruppur District is hereby quashed in respect of the petitioner. The aforesaid Joint Compromise Memo shall form part and parcel of this Order.



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WEB COPY 7. Accordingly, the Criminal Original Petition stands allowed.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
lok



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To
WEB COPY

1. The learned Magalir Neethimandram, (Fast Track Mahila Court),
Tiruppur District
2. Inspector of Police,
All Women Police Station, Palladam
Tiruppur District
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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