



Crl.O.P.No.6848 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM:

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

Crl.O.P.No.6848 of 2025
and Crl.M.P.No.4351 of 2025

Dinesh

... Petitioner

Vs.

1.The Inspector of Police,
Kammapuram Police Station,
Kammapuram, Cuddalore District
Crime No.23 of 2021

2.Venila

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire records pursuant to the case in Spl.SC.No.5 of 2023 pending on the file of the Mahila Court, Cuddalore – District and quash the same by allowing this criminal original petition.

For Petitioner : Mr.T.Meganathan

For Respondents

For R1 : M/s.J.R.Archana,
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to quash the proceedings in Spl.SC.No.5 of 2023 pending on the file of the Mahila Court, Cuddalore District, thereby taken cognizance for the offences under Sections 366, 450, 343 of IPC, Sections 5(n), 5(I), 6 of POCSO Act, Section 9 of Prohibition of Child Marriage Act.

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 before this Court, which has been signed by the petitioner and the defacto complainant and also by their respective counsel. All the parties 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. 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 proceedings in Spl.SC.No.5 of 2023 pending trial on the file of the Mahila Court, Cuddalore District

5. In view of the above, the proceedings in Spl.SC.No.5 of 2023 on the file of the Mahila Court, Cuddalore District, is hereby quashed in respect of the petitioner. The terms of the aforesaid Joint Compromise Memo shall form part and parcel of this Order. The petitioner is directed to register his marriage with the victim girl and produce the marriage certificate before the first respondent within a period of two weeks from the date of receipt of a copy of this order.



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6. Accordingly, the Criminal Original Petition stands allowed.

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Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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- To
1. Mahila Court, Cuddalore – District
 2. The Inspector of Police,
Kammapuram Police Station,
Kammapuram, Cuddalore District
 3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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