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CRL OP No. 5548 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

**CRL OP No. 5548 of 2025
& CRL MP No.3589 of 2025**

Mohammed Asheer
S/o.Usman, D.No.14/114, Mampatta
House, Athipally, Gudalur, The Nilgiris.

Petitioner(s)

Vs

1.The State Rep By, The Inspector Of
Police,
All Womens Police Station, Gudalur,
The Nilgiris.

2.Aneesha Parveen

Respondent(s)

PRAYER

This petition has been filed to call for the records and quash the Final Report in Spl.CC No.4/2022 under sections 5(I),5(j)(ii),6,7 and 8 of the Protection of Children from Sexual Offences Act, 2012 dated 02.12.2021 pending before the Mahila Court (FTMC, Udthagamandalam) and Sessions Judge of The Nilgiris at Udthagamandalam.



For Respondent(s): Mr.K.M.D.Muhilan, GA For R1

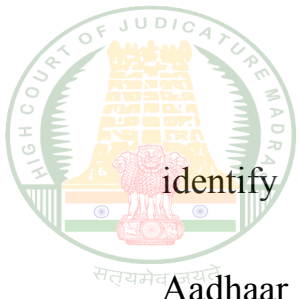
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ORDER

This petition has been filed to quash the proceedings in Special Spl.CC No.4/2022 pending on the file of the Mahila Court (FTMC, Udhagamandalam) and Sessions Judge of The Nilgiris at Udhagamandalam, as against the petitioner, thereby taken cognizance for the offences under Sections 5(I),5(j)(ii),6,7 and 8 of the Protection of Children from Sexual Offences Act, 2012.

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 and the second respondent before this Court stating that they got married with the blessings of both of their families and living in very happiest manner. All the parties are



identify the respective parties, they have also produced the copies of the

Aadhaar Card are 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.

4. It is seen that now the victim girl viz., the second respondent attains majority and she married the petitioner/accused as per the rituals of Islam at Muneerul Islam Sangam, at Gudalur, The Nilgiris. 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 C.C.No.4



of 2022 pending trial on the file of the Mahila Court (FTMC, Udhagamandalam) and Sessions Judge of The Nilgiris at Udhagamandalam

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6. In view of the above, the proceedings in Special Spl.CC No.4/2022 pending on the file of the Mahila Court (FTMC, Udhagamandalam) and Sessions Judge of The Nilgiris at Udhagamandalam, is hereby quashed as against the petitioner. The affidavit filed by the second respondent shall form part and parcel of this Order.

7. Accordingly, the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

06.03.2025

dn

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The State Rep By, The Inspector Of
Police,
All Womens Police Staiton, Gudalur,
The Nilgiris.

2. Mahila Court (FTMC,
Udhagamandalam) and Sessions Judge
of The Nilgiris at Udhagamandalam

3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN.J.

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