



*CrI.O.P.No. 6911 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

CORAM:

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

CrI.O.P.No.6911 of 2025  
and CrI.M.P.No.4434 of 2025

Ajith Kumar

... Petitioner

Vs.

1. The State Rep by  
The Inspector of Police,  
Karimangalam Police Station,  
Dharmapuri.  
Crime No.460 of 2024.

2. XXXX

3. Vijaya

... Respondents

**PRAYER:** Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Spl.S.C.No.46 of 2021 on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri and quash the FIR against the petitioner/accused.

For Petitioner : Mr.V.Balamurugan

For Respondents

For R1 : Mr.A.Gopinath  
Government Advocate (CrI.Side)



*CrI.O.P.No. 6911 of 2025*

## **ORDER**

WEB COPY

This Criminal Original Petition has been filed to quash the Spl.S.C.No.46 of 2021 on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri, thereby taken cognizance for the offences under Sections 363, 366 of IPC, Sections 5(I), 6 of the Protection of Children from Sexual Offences Act, 2012, and Section 9 of the Prevention 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 victim girl and defacto complainant and also by their respective counsel. All the parties are present and identified by their respective counsel and the Police. In order to 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.



*CrI.O.P.No. 6911 of 2025*

4. It is seen that now the victim girl viz., the second respondent 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 Spl.S.C.No.46 of 2021 pending trial on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri.

6. In view of the above, the proceedings in Spl.S.C.No.46 of 2021 on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri, is hereby quashed. The terms of Joint Compromise Memo shall form part and parcel of this Order.



*CrI.O.P.No. 6911 of 2025*

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

Consequently, connected miscellaneous petition is closed.

14.03.2025

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

rts



*CrI.O.P.No. 6911 of 2025*

To  
WEB COPY

1.The Sessions Judge, Fast Track Mahila Court,  
Dharmapuri.

2.The Inspector of Police,  
Karimangalam Police Station,  
Dharmapuri.

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



WEB COPY



*Crl.O.P.No. 6911 of 2025*

**G.K.ILANTHIRAIYAN, J.**

Crl.O.P.No.6911 of 2025  
and Crl.M.P.No.4434 of 2025

14.03.2025