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CrI.O.P.No.3990 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.3990 of 2025

P.Priyadharsan

... Petitioner

Vs

1. State Rep.by
The Inspector of Police,
All Women Police Station,
Gudalur, The Nilgiris.

2. G.Archana

... Respondents

Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records of the Special C.C.No.50 of 2023, pending on the file of the Sessions Judge, Magalir Neethi Mandram, FTMC, Udthagamandalam and to quash the same as far as the petitioner is concerned.

For Petitioner : Mr.K.Balasubramaniam

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



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ORDER

This petition has been filed to quash the proceedings in Special Special C.C.No.50 of 2023 pending on the file of the learned Sessions Judge, Magalir Neethi Mandram, FTMC, Udhagamandalam, as against the petitioner, thereby taken cognizance for the offences under Sections 5(1), 5(j) (ii), Section 6 of Protection of Child from Sexual Offences Act, 2012 and Section 366 of IPC.

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

3. A Joint Memo of Compromise has been filed by the petitioner and the second respondent before this Court stating that now the second respondent married the petitioner and living with him in very happiest manner. 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



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come to an amicable settlement between themselves.

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4. It is seen that now the victim girl viz., the second respondent attains majority. 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 482 of Cr.P.C., quashes the proceeding in Special C.C.No.50 of 2023 pending trial on the file of the learned Sessions Judge, Magalir Neethi Mandram, FTMC, Udthagamandalam.



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6. In view of the above, the proceedings in Special C.C.No.50 of 2023 on the file of the learned Sessions Judge, Magalir Neethi Mandram, FTMC, Udhagamandalam, is hereby quashed as against the petitioner. The Joint Memo of Compromise filed by the petitioner and the second respondent shall form part and parcel of this Order.

7. Accordingly, the Criminal Original Petition stands allowed.

18.02.2025

Index:Yes/No
Neutral Citation/Yes/No
kv

To

1. The Inspector of Police,
All Women Police Station,
Gudalur, The Nilgiris.
2. The Sessions Judge,
Magalir Neethi Mandram,
FTMC, Udhagamandalam



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G.K.ILANTHIRAIYAN, J.

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