



Crl.O.P.No.4492 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 27.02.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4492 of 2025

Vimal

.. Petitioner

Vs.

1.State by Inspector of Police,
AWPS – Coonoor,
The Nilgiris.
(Crime No.3/2023)

2.Kalpana

.. Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS, praying to call for the records pertaining to the in Spl.C.C.No.56 of 2023 on the file of Sessions Judge, Magalir Neethimandram FTMC, Udhagamandalam of the and quash the same.

For Petitioners : Mr.J.Franklin

For R1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Spl.C.C.No.56 of 2023 pending on the file of the learned



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Sessions Judge, Magalir Neethimandram FTMC, Udhagamandalam,

thereby taken cognizance for the offences under Sections 5(I), 5(j)(ii), 6 of POCSO Act, 2012 and Sections 3(1)(w)(i), 3(2)(v) of SC/ST (Prevention of Atrocities) Act, 1989.

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

3. A Compromise affidavit has been filed before this Court, which has been signed by the defacto complainant and also by her 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.

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**



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Aahir @ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in Spl.C.C.No.56 of 2023 pending trial on the file of the learned Sessions Judge, Magalir Neethimandram FTMC, Udhagamandalam.

5.In view of the above, the proceedings in Spl.C.C.No.56 of 2023 on the file of the learned Sessions Judge, Magalir Neethimandram FTMC, Udhagamandalam, is hereby quashed as against the petitioners alone. The terms of Compromise affidavit shall form part and parcel of this Order. The petitioner shall pay a sum of **Rs.5,000/-, (Rupees Five Thousand only)** as costs, to the **Chief Justice Relief Fund, Tamil Nadu**, forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6.Accordingly, the Criminal Original Petition stands allowed.

27.02.2025

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



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G.K.ILANTHIRAIYAN, J.

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To

- 1.The Sessions Judge,
Magalir Neethimandram FTMC,
Udhagamandalam.
- 2.State by Inspector of Police,
AWPS – Coonoor,
The Nilgiris.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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