



CrI.O.P.No. 7282 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2025

CORAM:

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

CrI.O.P.No.7282 of 2025 and
CrI.M.P.No.4664 of 2025

1.Mani
2.Vasudevan
3.Kavitha

... Petitioners

Vs.

1.State Represented by,
The Inspector of Police,
W-3, All Women Police Station,
Egmore, Chennai.

2.M.Banumathi

3.XXXXXX

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the proceedings in Spl.S.C.No.33 of 2024, which is pending before the learned Sessions Judge, Mahalir Neethimandram at Chennai on the ground of express consent given by the third respondent / victim.

For Petitioners : Mr.V.Ramanareddy



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For R1

: M/s.J.R.Archana,
Government Advocate (crl.side)

ORDER

This petition has been filed to quash the proceedings in Spl.S.C.No.33 of 2024 pending on the file of the learned Sessions Judge, Mahalir Neethimandram at Chennai as against the petitioners.

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

3. A consent affidavit has been filed by the petitioners and the wife of the first petitioner (victim girl) separately before this Court stating that now she married the first 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 come to an amicable settlement between



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themselves.

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4. It is seen that now the victim girl attains majority and she married the petitioner/accused. Their marriage also got registered before the authority concerned. Now both are living happily and therefore, the petitioners 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.33 of 2024 pending trial on the file of the learned Sessions Judge, Mahalir Neethimandram at Chennai

6. In view of the above, the proceedings in Spl.S.C.No.33 of 2024 on the file of the learned Sessions Judge, Mahalir Neethimandram



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at Chennai is hereby quashed as against the petitioners. The consent affidavit filed by the petitioners and the first petitioner's wife (victim girl) shall form part and parcel of this Order.

7. Accordingly, the Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petition is closed.

13.03.2025

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



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To
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1. Sessions Judge, Magalir Neethimandram, Chennai
2. The Inspector of Police,
W-3, All Women Police Station,
Egmore, Chennai.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

shk

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