



Crl.O.P.No.5718 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2025

CORAM:

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

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Ayyasamy

... Petitioner

Vs

1. State Rep By,
The Inspector of Police,
Chettipalayam Police Station,
Coimbatore District.
Crime No.265 of 2023.

2. Aruna

3. XXXXXX

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C/ 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the Spl.SC.No.249 of 2024 on the file of the Learned Mahila Court/Additional Special Court for Trial of Cases Under POCSO Act, Coimbatore, and quash the same.

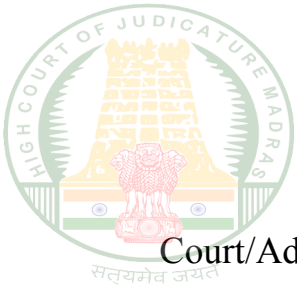
For Petitioner : Mr.M.N.Balakrishnan

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.SC.No.249 of 2024 on the file of the Mahila



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Court/Additional Special Court for Trial of Cases Under POCSO Act,
Coimbatore.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the first respondent and perused the materials available on record.

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

4. The affidavits have been filed by the petitioner and the second respondent before this Court stating that now the petitioner and the second respondent joined together and living in a very happiest manner and due to wed lock they also gave birth to child. 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.



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5. It is seen that now the petitioner and the second respondent got married and both are living happily. Therefore, the petitioner need not go for an ordeal of trial.

6. 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 proceedings in Spl.SC.No.249 of 2024 on the file of the Learned Mahila Court/Additional Special Court for Trial of Cases Under POCSO Act, Coimbatore.

7. In view of the above, the proceedings in Spl.SC.No.249 of 2024 on the file of the Learned Mahila Court/Additional Special Court for Trial of Cases Under POCSO Act, Coimbatore, is hereby quashed as against the petitioner. The affidavits filed by the petitioner and the second respondent shall form part and parcel of this Order. If the marriage is not registered, the petitioner and the victim are directed to register their marriage before the



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registering authority and produce the marriage registration certificate before the first respondent, within a period of four weeks from the date of receipt of a copy of this order, failing which, the order passed by this Court shall stand automatically cancelled.

8. In the result, this Criminal Original Petition stands allowed.

28.02.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



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To

1. The Mahila Court/Additional Special Court for Trial of Cases
Under POCSO Act,
Coimbatore.
2. The Inspector of Police,
Chettipalayam Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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