



Crl.O.P.No.6755 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2025

CORAM:

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

Crl.O.P.No.6755 of 2025

1.Pannerselvam
2.Chinnaraj
3.Samikannu
4.Ponnusamy
5.Duraisamy

... Petitioners

Vs.

1. The State rep by,
The Inspector of Police,
A Pallipatti Police Station,
Dharmapuri District.
(Crime No.50 of 2019)

2. R.Selvam

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in charge sheet in Spl.S.C.No.24 of 2020 on the file of the learned Fast Track Mahila Court, Dharmapuri District and quash the same.

For Petitioners : Mr.D.Rameshkumar

For Respondents

For R1 : M/s.J.R.Archana,
Government Advocate (Crl. Side)



Crl.O.P.No.6755 of 2025

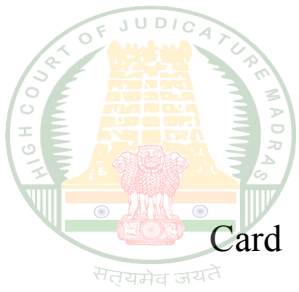
ORDER

WEB COPY

This petition has been filed to quash the proceedings in Spl.S.C.No.24 of 2020 pending on the file of the learned Fast Track Mahila Court, Dharmapuri District, as against the petitioners, thereby taken cognizance for the offences under Sections 363, 366 of IPC, 5(l), 6, 5(j)(ii), 17, 16 of Protection of Child from Sexual Offences Act, 2012, and 9 & 10 of Child Marriage Restraint Act, 1929,

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 petitioners and the second respondent / defacto complainant before this Court stating that marriage was solemnized between the first petitioner and the defacto complainant's daughter. However, now the defacto complainant's daughter is major Further, the defacto complainant's daughter gave birth to a female child on 07.07.2022 and is living with the first petitioner 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



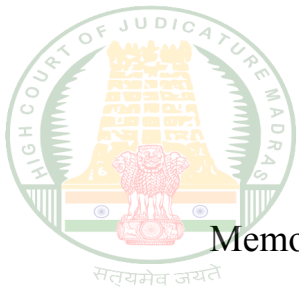
Crl.O.P.No.6755 of 2025

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. It is seen that now the victim girl viz., the second respondent's daughter attains majority and gave birth to a female child. Now the first petitioner and the second respondent's daughter 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 Gujraht)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in Spl.S.C.No.24 of 2020 pending trial on the file of the learned Fast Track Mahila Court, Dharmapuri District.

6. In view of the above, the proceedings in Spl.S.C.No.24 of 2020 on the file of the learned Fast Track Mahila Court, Dharmapuri District, is hereby quashed as against the petitioners. The aforesaid Joint



Crl.O.P.No.6755 of 2025

Memo of Compromise dated 17.02.2025 filed by the petitioners and the

second respondent shall form part and parcel of this Order.

7. Accordingly, the Criminal Original Petition stands allowed.

10.03.2025

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



Crl.O.P.No.6755 of 2025

To
WEB COPY

1. The learned Fast Track Mahila Court,
Dharmapuri District
2. The Inspector of Police,
A Pallipatti Police Station,
Dharmapuri District.
3. The Public Prosecutor,
Madras High Court,
Chennai.



WEB COPY



Crl.O.P.No.6755 of 2025

G.K.ILANTHIRAIYAN, J.
lok

Crl.O.P.No.6755 of 2025

10.03.2025