



Crl.O.P.No.7402 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2025

CORAM:

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

Crl.O.P.No.7402 of 2025

1. Anbazhagan
2. Maheswari

... Petitioners

Vs

1. The State By,
The Inspector of Police,
Ulundurpet All Women Police Station,
Kallakurichi District.
(Crime No.23 of 2023)

2. Sathiya

... 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 entire records, connected with the case in Spl.S.C.No.406 of 2024 on the file of the Principal District Judge at Kallakurichi and quash the same.

For Petitioners : Mr.A.Anandharaj
For R1 : M/s J.R.Archana
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed challenging the final report filed in Spl.S.C.No.406 of 2024 on the file of the Principal District Judge at Kallakurichi.



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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. A Joint Memo of Compromise has been filed by the petitioners and the second respondent before this Court stating that now the second respondent got married with 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 themselves.



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5. It is seen that now the victim girl viz., the second respondent married the first petitioner/accused. Their marriage also got registered before the authority concerned. Now both are living happily and 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 proceeding in Spl.S.C.No.406 of 2024 on the file of the Principal District Judge at Kallakurichi.

7. In view of the above, the proceedings in Spl.S.C.No.406 of 2024 on the file of the Principal District Judge at Kallakurichi, is hereby quashed as against the petitioner. The Joint Compromise memo filed by the petitioners and the second respondent shall form part and parcel of this Order.



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

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Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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To

1. The Principal District Judge at Kallakurichi.
2. The Inspector of Police,
Ulundurpet All Women Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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