



Crl.O.P.No.6728 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.6728 of 2025

Aravind

... Petitioner

Vs.

1. Inspector of Police,
S6 Shankar Nagar Police Station,
Chennai
2. Jayamalini

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire records in Crime No.961 of 2020 U/s 'GIRL MISSING' and @ under section 366 of IPC and 5(1) and 6 of POCSO Act, 2012 pending on the file of the first respondent and quash the proceedings insofar as they related to the petitioner.

For Petitioner : Mr.M.Rajavelu

For Respondents

For R1 : Mr.A.Gopinath,
Government Advocate (Crl. Side)



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ORDER

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This petition has been filed to quash the proceedings in Crime No.961 of 2020 registered for the offences under Section 'GIRL MISSING' @ under sections 366 of IPC and 5(1) and 6 of POCSO Act, 2012, pending on the file of the first respondent, as against the petitioner

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 dated 03.03.2025 has been filed by the petitioner, the second respondent/defacto complainant and the victim girl before this Court stating that the defacto complainant got married the petitioner on 16.06.2021 and they have been blessed with a female child and are now living happily. 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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4. It is seen that the victim girl, who is now major, married the petitioner and gave birth to a female child. Now both are said to be living happily and therefore, the petitioner 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 proceedings in Crime No.961 of 2020 pending on the file of the first respondent.

6. In view of the above, the entire proceedings in Crime No.961 of 2020 pending on the file of the first respondent, is hereby quashed as against the petitioner. The aforesaid Joint Memo of Compromise dated 03.03.2025 shall form part and parcel of this Order.

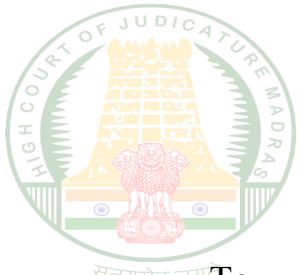


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WEB COPY 7. Accordingly, the Criminal Original Petition stands allowed.

10.03.2025

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



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To
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1. Inspector of Police,
S6 Shankar Nagar Police Station,
Chennai
2. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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