



Crl.O.P.No.8247 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2025

CORAM:

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

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Raj Pandi @ Raja Pandian

... Petitioner

Vs.

1. The Inspector of Police,
S6, Shankar Nagar Police Station,
Chennai.

2. Thangaraja

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Crime No.447 of 2018 under Sections 366(A), 342 of IPC r/w 3 & 4 of the POCSO Act, 2012 by the first respondent herein and quash the proceedings insofar 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.447 of 2018 pending investigation on the file of the first respondent as against the petitioner, thereby taken cognizance for the offences under Sections 366(A), 342 of IPC r/w 3 & 4 of the Protection of Child from Sexual Offences Act, 2012.

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 before this Court, which has been signed by the petitioner, victim girl and the defacto complainant and also by their respective counsel. 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 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 petitioner need not go for ordeal of trial.

5. Under such circumstances, no useful purpose will be served in keeping the First Information Report 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 FIR in Crime No.447 of 2018 pending investigation on the file of the first respondent.

6. In view of the above, the FIR in Crime No.447 of 2018 pending investigation on the file of the first respondent, is hereby quashed. The Join Memo of Compromise shall form part and parcel of this Order.



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

21.03.2025

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

rts



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To
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1. The 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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