



Crl.O.P.No. 8814 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2025

CORAM:

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

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Periyannan

.... Petitioner

Vs

1. The State Rep. by its
Inspector of Police,
Denkanikottai All Women Police Station (AWPS),
Krishnagiri District.

2.Mamtha

3.Muthulakshmi

.... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire records in connected with the charge sheet in Spl.S.C.No.30 of 2024 on the file of the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri and quash the same.

For Petitioner	: Mr.E.Sathiyaraj
For R1	: Mr.A.Gopinath
	Government Advocate (Crl. Side)

ORDER

This petition has been filed to quash the proceedings in Spl.S.C.No.30 of 2024 pending on the file of the Sessions Judge, Fast Track Mahila Court, Krishnagiri, thereby taken cognizance for the



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offence punishable under Sections 363, 366 of IPC and Section 4 of the Protection of Children from Sexual Offence Act, Section 9 of the Child Marriage Act and Section 3(1)(w)(i), 3(a) of the Protection of Child from Sexual Offence 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 by the petitioner and the second and third respondents before this Court stating that now the third respondent married the 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 their respective parties, they also produced the copy of the Aadhaar Card is 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 the victim, viz., the third respondent, has now attained majority. Though the petitioner and the victim were living



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together happily, they have failed to register their marriage before the registering authority so far.

5. Under such circumstances, no useful purpose will be served in keeping the proceedings 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.S.C.No.30 of 2024 pending on the file of the Sessions Judge, Fast Track Mahila Court, Krishnagiri,

6. In view of the above, the proceedings in Spl.S.C.No.30 of 2024 pending on the file of the Sessions Judge, Fast Track Mahila Court, Krishnagiri, is hereby quashed as against the petitioner subject to the condition that the petitioner shall register his marriage with the victim/third respondent before the concerned authority within a period of four weeks from today and produces the marriage certificate before the first respondent. Failing which, the order passed by this Court shall stand automatically cancelled. The Trial Court is directed to proceed



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with the trial as against the petitioner. The terms of Joint Memo of

Compromise shall form part and parcel of this Order.

7. Accordingly, the Criminal Original Petition stands allowed.

25.03.2025

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

To

1. The Sessions Judge,
Fast Track Mahila Court,
Krishnagiri.

2. The Inspector of Police,
Denkanikottai All Women Police Station (AWPS),
Krishnagiri District.

3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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