



Crl.O.P.No.5157 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2025

CORAM:

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

Crl.O.P.No.5157 of 2025
and Crl.M.P.No.3342 of 2025

1. Banu Sekar Deekshithar
2. T.S.Sivarama Deekshithar

... Petitioners

Vs.

1. The State by
The Special Sub Inspector of Police,
Chidambaram Town Police Station,
Cuddalore District.
Crime No.506/2022

2. Chitra
M.A.M.S.C.
District Social Welfare Officer,
District Social Welfare Office,
Cuddalore.

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Crime No.506 of 2022 on the file of the SSI of Police, Chidambaram Town Police Station, Chidambaram, Cuddalore District and quash the same insofar as the petitioners are concerned.



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For Petitioners : Mr.R.T.Vijayaraghavan
For Respondents : Mr.A.Gopinath
For R1 : Government Advoate (Crl. Side)
For Victim : Mr.M.Shankarkumar

ORDER

This petition has been filed to quash the FIR registered in Crime No.506 of 2022 on the file of the first respondent, for the offences punishable under Sections 10 & 11 of the Prohibition of Child Marriage Act, 2006.

2. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Memo of Compromise has been filed before this Court, which has been signed by the petitioners and the victim girl 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 and it 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.



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4. It is seen that first petitioner's daughter is the victim girl and

she fell in love with the second petitioner's son. Therefore, the petitioners arranged their marriage. Now the victim girl married the second petitioner's son and both are living happily. Therefore, the petitioners 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.506 of 2022 pending investigation on the file of the first respondent.

6. In view of the above, the FIR in Crime No.506 of 2022 on the file of the first respondent, is hereby quashed. The Memo of Compromise shall form part and parcel of this Order. The petitioners shall register the marriage and produce the marriage certificate before the first respondent within a period of four weeks from the date of attainment



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of majority by the victim girl, failing which, the order shall stand automatically cancelled.

7. Accordingly, the Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petition is closed.

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

rts



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To
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1. The Special Sub Inspector of Police,
Chidambaram Town Police Station,
Cuddalore District.
2. The District Social Welfare Officer,
District Social Welfare Office,
Cuddalore.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.
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