



WEB COPY



Crl.O.P.No.10001 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10001 of 2025

Murshid

... Petitioner

Versus

1.State Rep. by,
The Inspector of Police,
AWPS – Devala,
The Nilgiris. (Crime No.2 of 2020)

2.Saleem

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to the case in Spl.C.C.No.30 of 2021 on the file of the learned Sessions Judge, Mahila Neethimandram, (Fast Track Mahila Court), Udthagamandalam and quash the same.

For Petitioner : Mr. J. Franklin

For Respondents : Mr. R. Vinothraja, (for R1)
Government Advocate (Criminal Side)



Crl.O.P.No.10001 of 2025

ORDER

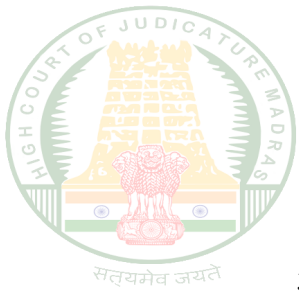
WEB COPY

This Criminal Original Petition has been filed to quash the proceedings in Spl.C.C.No.30 of 2021, pending on the file of the learned Sessions Judge, Mahila Neethimandram, (Fast Track Mahila Court), Udthagamandalam, for the offences under Sections 5(1), 5(j)(ii), 5(n) and 6 of the Protection of Children from Sexual Offences Act, (POCSO), 2012.

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

3. An affidavit of the victim girl, dated 04.04.2025 has been filed before this Court, stating that she has now married the petitioner and is living with him in a very happiest manner. The said Affidavit, signed by victim girl, is taken on record.

4. Heard both sides and perused the materials on record, including the Affidavit of the victim girl.



Crl.O.P.No.10001 of 2025

WEB COPY

5. Upon perusal of the affidavit of the victim girl shows that now the victim girl attains majority and she married the petitioner. Their marriage also got registered before the concerned authority. Now, both are living happily, and therefore, the petitioner need not undergo the 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-(Parbatbhai Aahir @ Parbatbhai v. State of Gujarat)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceedings in Spl.C.C.No.30 of 2021, pending on the file of the learned Sessions Judge, Mahila Neethimandram, (Fast Track Mahila Court), Udhagamandalam.

7. In view of the above, the proceedings in Spl.C.C.No.30 of 2021, pending on the file of the learned Sessions Judge, Mahila Neethimandram, (Fast Track Mahila Court), Udhagamandalam, is hereby quashed as against the petitioner. The Affidavit of the Victim, dated



Crl.O.P.No.10001 of 2025

04.04.2025, signed by the victim produced before this Court shall form
WEB COPY
part and parcel of this Order.

8. Accordingly, the Criminal Original Petition stands allowed.

04.04.2025

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

klt



Crl.O.P.No.10001 of 2025

WEB COPY

To

- 1.The learned Sessions Judge, Mahila Neethimandram,
(Fast Track Mahila Court), Udhagamandalam,
- 2.The Inspector of Police,
AWPS – Devala,
The Nilgiris. (Crime No.2 of 2020).
- 3.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.10001 of 2025

G.K.ILANTHIRAIYAN, J.

klt

Crl.O.P.No.10001 of 2025

04.04.2025