



Crl.O.P.No.11576 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2025

CORAM:

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

Crl.O.P.No.11576 of 2025

Maheswaran

... Petitioner

Vs.

1. The State Rep. by
The Inspector of Police,
W-18, All Women Police Station,
MKB Nagar, Chennai.
(Crime No.11 of 2018)

2. Lakshmi
3. XXXXX

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire records, connected with the case in Spl.S.C.No.114 of 2022 on the file of the learned Sessions Judge (Magalir Neethimandram) at Chennai and quash the same.

For Petitioner : Mr.K.Poongkundran

For Respondents

For R1 : Mr.R.Vinothraja
Government Advocate (Crl. Side)



Crl.O.P.No.11576 of 2025

ORDER

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This petition has been filed to quash the proceedings in Special S.C.No.114 of 2022 pending on the file of the learned Sessions Judge (Magalir Neethimandram) at Chennai, as against the petitioner, thereby taken cognizance for the offence punishable under Section 6 of Protection of Children 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 Compromise Memo 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.



Crl.O.P.No.11576 of 2025

4. It is seen that now the victim girl viz., the third respondent attains majority and she married the petitioner/accused and gave birth to a child. 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 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 proceeding in Special S.C.No.114 of 2022 pending trial on the file of the learned Sessions Judge (Magalir Neethimandram), Chennai.

6. In view of the above, the proceedings in Special S.C.No.114 of 2022 pending on the file of the learned Sessions Judge (Magalir Neethimandram) at Chennai, is hereby quashed. The terms of Joint Compromise Memo shall form part and parcel of this Order.



Crl.O.P.No.11576 of 2025

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

21.04.2025

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

rts



Crl.O.P.No.11576 of 2025

To
WEB COPY

1. The Sessions Judge (Magalir Neethimandram),
Chennai.
2. The Inspector of Police,
W-18, All Women Police Station,
MKB Nagar, Chennai.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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Crl.O.P.No.11576 of 2025

G.K.ILANTHIRAIYAN, J.

rts

Crl.O.P.No.11576 of 2025

21.04.2025