



Crl.O.P.No.10461 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2025

CORAM:

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

Crl.O.P.No.10461 of 2025
and Crl.M.P.Nos.6981 & 6983 of 2025

1.S.Sridhar
2.G.Murugan
3.M.Mahalakshmi
4.R.Selvam
5.Theivam @ Dheivammal
6.Karunakaran
7.Vijayalakshmi

... Petitioners

Vs.

1.The State represented by
The Inspector of Police,
All Women Police Station,
Harur, Dharmapuri District
(crime No.1 of 2023)
2.Deebika

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Special S.C.No.1 of 2024 on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri and quash the same.

For Petitioners : Mr.J.Pradeep
For Respondents
For R1 : Mr.A.Gopinath,
Government Advocate (Crl. Side)

ORDER



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This petition has been filed to quash the proceedings in Special S.C.No.1 of 2024 on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri, thereby taken cognizance for the offences under Sections 5(l), 6(1), 16, 17, 5(j)(ii) of Protection of Children from Sexual Offences Act and Sections 9 & 11 of Prohibition of Child Marriage Act.

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

3. An Joint Memo of Compromise has been filed by the second respondent and the petitioners before this Court stating that the victim married the first petitioner and also she delivered a child. It is further stated that the first petitioner and the defacto complainant are living together happily. All the parties are present and identified by 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 now the second respondent and the first petitioner are said to be living together happily and also they have given birth to a child. Therefore, the petitioners do not need to 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.1 of 2024 pending trial on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri.

6. In view of the above, the proceedings in Special S.C.No.1 of 2024 pending trial on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri, is hereby quashed in respect of the petitioners. The Joint Memo of Compromise filed by the petitioners and the second respondent shall form part and parcel of this Order.



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

Consequently, connected miscellaneous petitions are closed.

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



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To
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- 1.The learned Sessions Judge, Fast Track Mahila Court, Dharmapuri
- 2.The Inspector of Police,
All Women Police Station,
Harur, Dharmapuri District
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.
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