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Crl.O.P.No. 12713 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2025

CORAM:

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

Crl.O.P.No.12713 of 2025

Mahesh

... Petitioner

Vs.

1.State Rep. by
The Inspector of Police,
Kinathukadavu Police Station,
Coimbatore District.
Crime No.65 of 2022.

2.Kavitha

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for records relating to the Spl.S.C.No.214 of 2022 on the file of the learned Mahila Court /Additional Special Court for Trial of Cases under POCSO Act, Coimbatore District.

For Petitioner : Mr.M.N.Balakrishnan

For R1 : Mr.A.Gopinath,
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed to proceedings in P.R.C.No.14 of 2024 pending on the file of the learned Metropolitan Magistrate, Additional Mahila Court, Egmore, Chennai.

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 by the petitioner and the second respondent (victim girl) before this Court stating that now she 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 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.



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4. It is seen that now the victim girl attains majority and she married the first petitioner and also gave birth to a child. Their marriage also got registered before the authority concerned. 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 proceedings in P.R.C.No.14 of 2024 pending trial on the file of the learned Metropolitan Magistrate, Additional Mahila Court, Egmore, Chennai.

6. In view of the above, the proceedings in P.R.C.No.14 of 2024 pending on the file of the learned Metropolitan Magistrate, Additional Mahila Court, Egmore, Chennai, is hereby quashed as against the petitioner. The Joint Compromise Memo filed by the petitioner and



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the second respondent (victim girl) shall form part and parcel of this Order.

7. Accordingly, the Criminal Original Petition stands allowed.

24.04.2025

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



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1. The Metropolitan Magistrate, Additional Mahila Court,
Egmore, Chennai.
2. The Inspector of Police,
Kinathukadavu Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.



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Today, the matter is listed under the caption 'For being mentioned' at the instance of the learned counsel for the petitioner.

2. In the order dated 24.04.2025 passed in Crl.O.P.No.12713 of 2025, wherever the Court name “Mahila Court/Additional Special Court for Trial of Cases under POCSO Act, Coimbatore District” ought to have been mentioned, it has been wrongly mentioned as “Metropolitan Magistrate, Additional Mahila Court, Egmore, Chennai”. Hence the learned counsel for the petitioner seeks appropriate correction in the order copy and issuance of an amended order copy.

3. On perusing the order, this Court finds that at page No.2, paragraph 1, second line from the bottom, the name of the Court is wrongly mentioned as “Metropolitan Magistrate, Additional Mahila Court, Egmore, Chennai” and the same shall be as “Mahila Court/Additional Special Court for Trial of Cases under POCSO Act, Coimbatore District”. Similarly the said correction shall be carried out at page No.3, paragraph 5, second line from the bottom and at paragraph 6, second line from the top.



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4. Registry is directed to carry out the necessary correction in the order dated 24.04.2025 passed in Crl.O.P.No.12713 of 2025 and issue a fresh order copy.

09.06.2025

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