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Crl.O.P.No.11438 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2025

CORAM:

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

Crl.O.P.No.11438 of 2025

Manikandan

... Petitioner

Vs

1. State Represented by,
The Inspector of Police,
Thavalakuppam Police Station,
Puducherry.
Crime No.3 of 2025

2. XXXXXX,
Represented by her father.

3. XXXXXX,
XXXXXXX

... Respondents

Prayer: Criminal Original Petition filed under 528 of BNSS., 2023, to call for the records in Crime No.03 of 2025 on the file of the first respondent herein, quash the same.

For Petitioner : Mr.Swamisubramanian

For Respondents : Mr.K.S.Mohandass
Public Prosecutor (Puducherry) for R1



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ORDER

WEB COPY This petition has been filed to quash the First Information Report Crime No.03 of 2025 on the file of the first respondent herein for the offences under Section 6 of the Protection of Children from Sexual Offence Act, 2012 and 9 of 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 Joint Compromise Memo has been filed by the petitioner, second and third respondents before this Court stating that now second respondent 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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WEB COPY 4. It is seen that now the victim girl viz., the second respondent attains majority and she married the petitioner/accused. 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 First Information Report in Crime No.03 of 2025 on the file of the first respondent.

6. In view of the above, the First Information Report in Crime No.03 of 2025 on the file of the first respondent, is hereby quashed as against the petitioner. The Joint Compromise Memo filed by the petitioner and the second third respondents shall form part and parcel of this order.



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

17.04.2025

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

To

1. The Inspector of Police,
Thavalakuppam Police Station,
Puducherry.
2. The Public Prosecutor (Puducherry)
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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