



WEB COPY



Crl.O.P.No.13652 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13652 of 2025

Manivel

... Petitioner

Vs

1. State By

Inspector of Police,
Eriyur Police Station,
Dharmapuri District.
(Crime No. 71 of 2022)

2. Ramalingam

... Respondents

Criminal Original Petition is filed under Section 528 of BNSS, to call for the records in connection with Spl.S.C.No.19 of 2024 on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri, Dharmapuri District and quash the same.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side) for R1



Crl.O.P.No.13652 of 2025

WEB COPY

ORDER

This Criminal Original Petition has been filed to quash the Spl.S.C.No.19 of 2024 on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri, thereby taken cognizance for the offences under Sections 7 and 8 of the Protection of Child from Sexual Offences Act, Sections 9, 10 and 11 of the Prohibition of Child Marriage Act and Sections 363 and 366 of IPC.

2. Pending the proceedings in Spl.S.C.No.19 of 2024, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A joint memo of compromise, which has the sign of the petitioner and the thumb impression of the second respondent/de-facto complainant, has been filed before this Court stating that the victim now 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.



Crl.O.P.No.13652 of 2025

WEB COPY

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.

4. It is seen that now the victim girl attained majority and she married the petitioner/accused and 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, quashes the proceeding in Spl.S.C.No.19 of 2024 pending trial on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri.



CrI.O.P.No.13652 of 2025

WEB COPY

6. In view of the above, the proceedings in Spl.S.C.No.19 of 2024 on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri, is hereby quashed as against the petitioner. The joint memo of compromise filed by the petitioner and the second respondent shall form part and parcel of this Order.

7. Accordingly, the Criminal Original Petition stands allowed.

30.04.2025

Index:Yes/No
Neutral Citation/Yes/No
kv

To

1. The Inspector of Police,
Eriyur Police Station,
Dharmapuri District.
2. The Sessions Judge,
Fast Track Mahila Court,
Dharmapuri,
Dharmapuri District.
3. The Public Prosecutor,
High Court, Madras.

4/5



WEB COPY



Crl.O.P.No.13652 of 2025

G.K.ILANTHIRAIYAN, J.

kv

Crl.O.P.No.13652 of 2025

30.04.2025