



Crl.O.P.No.13876 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2025

CORAM:

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

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Arjunan

... Petitioner

Vs.

1. The State by
The Inspector of Police,
All Women Police Station,
Udumalpet,
Tiruppur District.
(Crime No.24 of 2023)

2. Susheela

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the Spl.S.C.No.52 of 2024 on the file of the learned Fast Track Mahila Court, Tiruppur District, and quash the same.

For Petitioner : Mr.M.N.Balakrishnan

For Respondents

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



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ORDER

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This petition has been filed to quash the proceedings in Special S.C.No.52 of 2024 pending on the file of the Fast Track Mahila Court, Tiruppur District, as against the petitioner, thereby taken cognizance for the offences under Section 366 of IPC, Sections 5(l), 5(j)(ii) r/w 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 9 of the 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 before this Court, which has been signed by the petitioner 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 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 victim girl 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.52 of 2024 pending trial on the file of the Fast Track Mahila Court, Tiruppur District.

6. In view of the above, the proceedings in Special S.C.No.52 of 2024 on the file of the Fast Track Mahila Court, Tiruppur District, is hereby quashed. The Join Compromise Memo shall form part and parcel of this Order. The petitioner shall register their marriage and produce the marriage certificate before the first respondent within a period of twelve weeks from the date of attainment of majority by the victim girl, failing which, the order shall stand automatically cancelled.



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

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

rts



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To
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1. The Fast Track Mahila Court,
Tiruppur District.
2. The Inspector of Police,
All Women Police Station,
Udumalpet,
Tiruppur District.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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