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CrI.O.P.No. 3254 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2025

CORAM:

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

CrI.O.P.No.3254 of 2025 and
CrI.M.P.No.2194 of 2025

S.Ajith

... Petitioner

Vs.

1.State rep by
Inspector of Police,
W-18, All Women Police Station,
M.K.B Nagar, Chennai.
Crime No.25 of 2021.

2.The Member of Child Welfare committee,
North Zone, Royapuram,
Chennai 600 013.

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the Spl.S.C.No.35 of 2022 in Crime No.25 of 2021 on the file of the Sessions Judge, Magalir Neethimandram, Chennai and quash the same as against the petitioner.

For Petitioner : M/S.R.Radha Pandian



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For R1

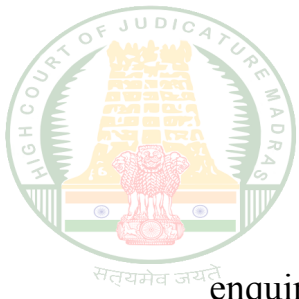
: Mr.R.Vinothraja,
Government Advocate (crl.side)

ORDER

This petition has been filed to quash the proceedings in Spl.S.C.No.35 of 2022 pending on the file of the learned Sessions Judge, Magalir Neethimandram, Chennai, as against the petitioner, thereby taken cognizance for the offences under Sections 366 of IPC and 6 of Protection of Child from Sexual Offences Act, 2012.

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 his wife (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



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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 attains 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, 2023, quashes the proceeding in Spl.S.C.No.35 of 2022 pending trial on the file of the learned Sessions Judge, Magalir Neethimandram, Chennai.

6. In view of the above, the proceedings in Spl.S.C.No.35 of



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2022 on the file of the learned Sessions Judge, Magalir Neethimandram, Chennai is hereby quashed as against the petitioner. The Joint Compromise Memo filed by the petitioner and his wife (victim girl) shall form part and parcel of this Order.

7. Accordingly, the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

14.02.2025

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



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To

1. Sessions Judge, Magalir Neethimandram, Chennai
2. The Inspector of Police,
W-18, All Women Police Station,
M.K.B Nagar, Chennai.
Crime No.25 of 2021.
3. The Member of Child Welfare committee,
North Zone, Royapuram,
Chennai 600 013.
4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

shk

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