



Crl.O.P.No.20477 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

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

Crl.O.P.No.20477 of 2024
and Crl.M.P.No.11816 of 2024

Manikandan

... Petitioner

Vs

1. State represented by:

The Inspector of Police,
Ambalamoola Police Station,
Ambalamoola, The Nilgiris.

2. Selvanayakam Chithambaram

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C/ 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the final report in Spl.CC No.54 of 2022 under sections, 5(I), 5(j)(ii) and 6 of the Protection of Child from Sexual Offences Act 2012, dated 18.03.2022 pending before the Mahila Court at Udthagamandalam, The Nilgiris.

For Petitioner : Mr.Thangavadhanabalakrishnan

For R1 : Mr.R.Vinothraja

Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed challenging the final report filed in Spl.CC No.54 of 2022, on the file of the Mahila Court at Udthagamandalam, The Nilgiris.



Crl.O.P.No.20477 of 2024

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the first respondent and perused the materials available on record.

3. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A Joint Memo of Compromise has been filed by the petitioner and the second respondent before this Court stating that now she got married with 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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5. It is seen that now the victim girl viz., the second respondent 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 an ordeal of trial.

6. 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in Spl.CC No.54 of 2022 pending trial on the file of the Mahila Court at Udhagamandalam, The Nilgiris.

7. In view of the above, the proceedings in Spl.CC No.54 of 2022 pending trial on the file of the Mahila Court at Udhagamandalam, The Nilgiris, is hereby quashed as against the petitioner. The Joint Memo of Compromise dated 12.02.2025 filed by the petitioner and the second respondent shall form part and parcel of this Order.



Crl.O.P.No.20477 of 2024

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8. In the result, this Criminal Original Petition stands allowed.

Consequently, connected Miscellaneous petition is closed.

12.02.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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To

1. The Mahila Court at Udhagamandalam,
The Nilgiris.
2. The Inspector of Police,
Ambalamoola Police Station,
Ambalamoola, The Nilgiris.
3. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN. J.

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CrI.O.P.No.20477 of 2024

CrI.O.P.No.20477 of 2024

12.02.2025