



Crl.O.P.No.24148 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2025

CORAM:

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

Crl.O.P.No.24148 of 2024

M.Shabeer

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
W2, All Women Police Station,
Anna Salai,
Chennai – 600 002.

... Respondent

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Spl.S.C.No.29 of 2023 on the file of the Mahila Court and quash the said proceedings in Spl.S.C.No.29 of 2023 on the file of the Mahila Court, Allikulam, Chennai – 600 003.

For Petitioner : Mr.R.Lohith

For Respondent : 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.29 of 2023 pending on the file of the learned Judge, Mahila Court, Allikulam, Chennai, as against the petitioner, thereby taken cognizance for the offences under Section 366 of IPC Sections 5(1), 5(j)(ii) & 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 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 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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4. It is seen that now the victim girl 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 proceeding in Special S.C.No.29 of 2023 pending trial on the file of the learned Judge, Mahila Court, Allikulam, Chennai.

6. In view of the above, the proceedings in Special S.C.No.29 of 2023 on the file of the learned Judge, Mahila Court, Allikulam, Chennai, is hereby quashed. The Join Compromise Memo shall form part and parcel of this Order.



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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

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To
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1. The Judge,
Mahila Court,
Allikulam, Chennai.
2. The Inspector of Police,
W2, All Women Police Station,
Anna Salai,
Chennai – 600 002.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

rts

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