



Crl.O.P.No. 4054 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM:

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

Crl.O.P.No. 4054 of 2025

and

Crl.M.P.Nos. 2593 & 2594 of 2025

1. Manikandan
2. Selvam
3. Ramayee
4. Thirumalai
5. Chandra @ Chanthira

.... Petitioners

Vs

1. State rep by,
The Inspector of Police,
All Women Police Station,
Perambalur,
Perambalur District.
Crime No.40 of 2022.

2.Ramu
Member of Child Welfare Committee,
No.164, 2nd Floor, M.M.Plaza,
Perambalur District.

3. Suganya

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire records in Spl.S.C.No.42 of 2023 on the file of the learned Sessions Judge, Mahila Court, Perambalur and quash the same, on the ground of compromise.



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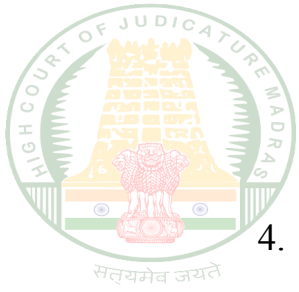
For Petitioners : Mr.M.Vijaya Ragavan
For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This petition has been filed to quash the proceedings in Spl.S.C.No.42 of 2023 on the file of the Sessions Judge, Mahila Court, Perambalur, as against the petitioners, thereby taken cognizance for the offences under Section 9 of Prohibition of Child Marriage Act, 2006 and Sections 5(I), 5(j)(ii) r/w 6, 21(1) and 16 r/w 17 of Protection of Child from Sexual Offences Act, 2012 r/w. Sections 363, 366 of IPC.

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

3. An affidavit has been filed by the third respondent before this Court stating that now she married the first 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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4. It is seen that now the victim girl viz., the third respondent attains

majority and she married the first 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 petitioners 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 proceedings in Spl.S.C.No.42 of 2023 on the file of the Sessions Judge, Mahila Court, Perambalur.

6. In view of the above, the proceedings in Spl.S.C.No.42 of 2023 on the file of the Sessions Judge, Mahila Court, Perambalur, is hereby quashed as against the petitioners. The affidavit filed by the third respondent shall form part and parcel of this Order.



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

Consequently, connected miscellaneous petitions are closed.

17.02.2025

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

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To

1. The Sessions Judge,
Mahila Court, Perambalur

2. The Inspector of Police,
All Women Police Station,
Perambalur,
Perambalur District.

3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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