



Crl.O.P.No.3487 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2025

CORAM:

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

Crl.O.P.No.3487 of 2025
and Crl.M.P.Nos.2292 & 2293 of 2025

1. Kannan
2. Kuzhanthaivel ... Petitioners

Vs.

1. The State of Tamil Nadu,
Rep. by Inspector of Police,
All Women Police Station,
Ulundurpet,
Kallakurichi District.
(Crime No.8 of 2024)

2. Sanmugavalli ... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Special S.C.No.421 of 2024 on the file of the learned Principal District Court, Kallakurichi and quash the same as against the petitioners.

For Petitioners : Mr.M.Ragul Kousik

For Respondents

For R1 : Mr.R.Vinothraja
Government Advocate (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.421 of 2024 pending on the file of the learned Principal District Court, Kallakurichi, as against the petitioners, thereby taken cognizance for the offences under Sections 344 & 506(1) of IPC and 5(1), 6, 17, 5(j)(ii) 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 Memo of Compromise has been filed before this Court, which has been signed by the petitioners and the defacto complainant and also by their respective counsel. All the parties are present and identified by their respective counsel and the Police. This Court also 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 viz., the second respondent attains majority and she married the first petitioner/accused and gave birth to a child. Their marriage also got registered before the authority



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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 proceeding in Special S.C.No.421 of 2024 pending trial on the file of the learned Principal District Court, Kallakurichi.

6. In view of the above, the proceedings in Special S.C.No.421 of 2024 on the file of the learned Principal District Court, Kallakurichi, is hereby quashed as against the petitioners. The terms of Joint Memo of Compromise 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.

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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 Principal District Court,
Kallakurichi.
2. The Inspector of Police,
All Women Police Station,
Ulundurpet,
Kallakurichi District.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

rts

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