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CRL OP No. 28566 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 28566 of 2025

1. BHUVANESHWARAN

S/o.Ayyappan, 74/74, Ulagadam,
Amman Nagar, Bhavani, Erode - 638
502.

Petitioner(s)

Vs

1. State, Rep by the
Inspector of Police, Erode Taluk Police
Station, Erode District. Crime No.428
of 2021

2.Lalithamani
W/o.Chandrasekaran, 55,
Jeevanandham Nagar,
Raghupathinaicken Palayam, Poondurai
Road, Erode - 638 002.

3.XXXXXXXX
D/o.XXXXXXXX XXXXXX Erode -
638 002.

Respondent(s)



PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records in Spl.S.C.No.90 of 2022 on the file of the Honble Mahila Judge, Erode and quash the same or pass any other order deemed to be fit proper in the circumstances of the case and thus render Justice.

For Petitioner(s): Mr.J.Ranjith Kumar

For Respondents: Mr.R.Vinodh Raja,
Government Advocate [Crl.Side] – R1

ORDER

This Criminal Original Petition has been filed to quash the final report filed in Spl.C.C.No.90 of 2022 on the file of the Mahila Judge, Erode for the offences under sections 366[A] IPC, 5[1] and 6 of Protection of Children from Sexual Offences Act, 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006.

2. The case of the prosecution is that on 17.09.2021, the petitioner had kidnapped the victim girl, who was studying XI Standard from the lawful custody of her parents and tied thali to her in a temple and committed aggravated sexual assault on her.



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3. When the matter is taken up today the learned counsel appearing for the petitioner submitted that the mater has been compromised between them and the petitioner and the victim girl got peacefully separated and that now the victim girl had attained majority and she decided not to pursue the complaint or criminal case lodged against the petitioner and hence, seeks to quash the final report filed against the petitioner.

4. The learned Government Advocate [Criminal Side] appearing for the first respondent would submit that in this case already 19 witnesses have been examined and hence, sought to dismiss this petition.

5. A perusal of records indicate that the petitioner faces trial for the offences under section 366 of IPC and Sections 5[1] and 6 of Protection of Children from Sexual Offences Act. Further, before the trial Court, 19 witness have already been examined and the victim girl in her evidence had narrated about the incident and she was elaborately cross examined and the trial is



almost at the verge of completion. Hence, this Court is not inclined to quash the final report at this stage.

6. Accordingly, this Criminal Original Petition is dismissed.

22-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Sessions Judge, Mahila Court,
Erode.

2. The Inspector of Police, Erode Taluk
Police Station, Erode District. Crime
No.428 of 2021



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N.SATHISH KUMAR J.

VRC

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