

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.20482 of 2020

Bharath Murugan

Petitioner

vs.

1. The Inspector of Police,  
W-30 All Women Police Station,  
Poonamallee.  
(Crime No.20 of 2018)

2. Anitha Kumari

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the proceedings in Special S.C.No.153 of 2019, pending on the file of Special Court for Exclusive Trail for POCSO Act, Chengalpattu and quash the same.

For Petitioner : Mr.S.Sathish Rajan

For Respondents: Mr.M.Mohammed Riyaz

Additional Public Prosecutor for R1

Ms.Anitha Kumari for R2

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in Special S.C.No.153 of 2019, pending on the file of Special Court for Exclusive Trail for POCSO Act, Chengalpattu and quash the same.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The Affidavit dated 10.11.2020 has been filed by the 2<sup>nd</sup> respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present through Video conferencing and they were identified by Ms.Jothilakshmi, Inspector of Police, W-30 All Women Police Station, Poonamallee. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably

settled their issues in Special S.C.No.153 of 2019. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The petitioner and the 2<sup>nd</sup> respondent were present together through video conferencing and they appeared along with the Inspector of Police. On enquiry made by this Court, both of them confirmed that they got married in the year 2019 and they are living happily.

4. Under such circumstances, no useful purpose will be served in keeping the case 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), and after exercising due caution as advised by the Hon'ble Supreme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Special S.C.No.153 of 2019, pending on the file of Special Court for Exclusive Trail for POCSO Act, Chengalpattu.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Special S.C.No.153 of 2019, pending on the file of Special Court for Exclusive Trail for POCSO Act, Chengalpattu. is quashed and the terms of affidavit shall form part and parcel of this order.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Special Court for Exclusive Trail for POCSO Act, Chengalpattu.
2. The Inspector of Police,  
W-30 All Women Police Station,  
Poonamallee.
3. The Public Prosecutor,  
High Court, Madras.

Cr1.O.P No.20482 of 2020

AK (CO)  
RMP (29/01/2021)