



CrI.O.P.No.25743 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2022

CORAM:

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CrI.O.P.No.25743 of 2022

M. Vikram

...Petitioner

Vs.

1. The State rep.by
The Inspector of Police,
G-2, Uthiramerur Police Station,
Kancheepuram District,
Crime No.257 of 2021

2. Usha

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C.
Praying to call for the records relating to the Spl.S.C.No.25 of 2022 on
the file of the learned Special Court for Exclusive Trial of Cases under
POCSO Act, Kancheepuram District at Chengalpattu and quash the same.

For Petitioner : Mr.G.Mageshkumar

For Respondents : Mr.S.Santhosh,
Government Advocate (CrI.side),
For R1.



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ORDER

This Criminal Original Petition has been filed to call for the records relating to Spl.S.C.No.25 of 2022 on the file of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Kancheepuram District at Chengalpattu and quash the same.

2. As the parties have decided to compromise the dispute amicably among themselves, they have filed the present petition to quash the proceedings in view of the compromise entered between the parties.

3. A memo of compromise has been filed before this Court which has been signed by the petitioner and the victim girl who is the daughter of the defacto complainant/second respondent. The petitioner and the victim girl are present before this Court and they were identified by Ms.M.Selvi, Women Head Constable (1232), All Women Police Station, Kancheepuram, who is also present before this Court and The Women Head Constable informed this Court that the victim girl had approached her and informed her that since the victim girl and the petitioner got



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married and living together happily, she do not want to proceed further with the criminal proceeding against the petitioner. In order to identify themselves as respective parties, they have also produced the copies of the Aadhaar Card and it is made part of the record. In the petition it has been stated that the petitioner and the victim girl have entered into a compromise and amicably settled their issues in Spl.S.C.No.25 of 2022. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the proceedings pending before the Court below, 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. is inclined to quash the proceedings in Spl.S.C.No.25



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of 2022 on the file of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Kancheepuram District at Chengalpattu.

5. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Spl.S.C.No.25 of 2022 on the file of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Kancheepuram District at Chengalpattu is quashed and the terms of compromise memo shall form part and parcel of this order.

27.10.2022

Index: Yes/No
Speaking/Non speaking order
dpq



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V. SIVAGNANAM, J.

dpq

To

1. The Inspector of Police,
G-2, Uthiramerur Police Station,
Kancheepuram District,
Crime No.257 of 2021
2. The learned Special Court for Exclusive
Trial of Cases under POCSO Act,
Kancheepuram District, Chengalpattu
3. The Public Prosecutor,
High Court, Madras.

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