



WEB COPY



CrI.O.P.No.32341 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.32341 of 2022

A.Murali

...Petitioners

vs.

1.State Rep by,
The Inspector of Police,
B-4, All Women Police Station,
Baluchettipalayam,
Kancheepuram District.

2.S.Venkatesan

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in S.C.No.48 of 2021 on the file of Special Court (Pocso), Chengalpattu against the petitioner and quash the same.

For Petitioners : Mr.D.Padmanabhan
For Respondents : Mr.A.Gopinath,
Government Advocate,
for R1

ORDER

These Criminal Original Petitions have been filed to call for the records pertaining to the proceedings in S.C.No.48 of 2021 on the file of Special Court (Pocso), Chengalpattu against the petitioner and quash the same.

2. The case is still at the stage of trial. By passage of time, the parties



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have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.The affidavit of the victim girl has been filed before this Court and the petitioner and second respondent were present before this Court. In the aforesaid affidavit, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in S.C.No.48 of 2021 on the file of the Special Court (Pocso), Chengalpattu. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Further, the victim girl named Bhagavathi, was present at the time of hearing. She stated that her date of birth was on 16.04.2005. She further stated that with the concurrence of parents on both sides, she married the petitioner on 21.08.2022 and she is happily living in her matrimonial home. Hence, she requested this Court to close this case.

5. 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



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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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in S.C.No.48 of 2021 on the file of the Special Court (Pocso), Chengalpattu.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.48 of 2021 on the file of the Special Court (Pocso), Chengalpattu, is quashed and the terms of affidavit shall form part and parcel of this order. No cost.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
nsa



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N. ANAND VENKATESH, J.

nsa

To

- 1.The Inspector of Police,
B-4, All Women Police Station,
Baluchettipalayam,
Kancheepuram District.
2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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