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CrI.O.P No.17906 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.17906 of 2023

C.Umaranjani

D/o.Chenniappan

... Petitioner

vs.

1.State represented by

The Inspector of Police,
Cyber Crime Police Station,
CCD-II, Coimbatore.
(Crime No.20 of 2022)

2.Lalitha

W/o.Ramesh Kumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to Spl.S.C.No.4 of 2023 on the file of Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore and quash the same.

For Petitioner : Mr.M.Deivanandam

For Respondent-1 : Mr.A.Damodaran
Additional Public Prosecutor

For Respondent-2 : Mr.I.Henry Samuel

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in Spl.S.C.No.4 of 2023, pending on the file of



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Principal Special Court for Exclusive Trial of Cases under POCSO Act,
Coimbatore and quash the same.

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

3. A Joint Memo of Compromise dated 01.05.2023 signed by both petitioner and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. A compromise affidavit has also been filed by the second respondent/de-facto complainant before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by Mr.P.Sharvin Jino, P.C. 300, Cyber Crime Police Station (Mob: 9791379296). In the affidavit it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.4 of 2023 pending on the file of Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore.



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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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Spl.S.C.No.4 of 2023, pending on the file of Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.4 of 2023, pending on the file of Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore, is quashed and the terms of affidavit shall form part and parcel of this order.

11.08.2023

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



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N. ANAND VENKATESH, J.
rsi

To

1. The Principal Judge,
Principal Special Court for Exclusive Trial
of Cases under POCSO Act, Coimbatore.
2. The Inspector of Police,
Cyber Crime Police Station,
CCD-II, Coimbatore.
3. The Public Prosecutor,
High Court of Madras,
Madras.

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