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CrI.O.P No.17961 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.17961 of 2023
and
CrI.M.P.Nos.11865 & 11867 of 2023

Ravindra Kumar Sharma
S/o.Gopal Sharma

... Petitioner

vs.

1.The Inspector of Police,
W-5, All Women Police Station,
Veppery, Chennai – 600 007.
(Crime No.12 of 2017)

2.Lalitha Kumari
D/o.Sellaram

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Spl.S.C.No.171 of 2022 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chennai and quash the proceedings insofar as it relates to the petitioner herein.

For Petitioner : Mr.M.Kannan

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



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ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in Spl.S.C.No.171 of 2022, pending on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chennai 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 compromise affidavit has been filed by the 2nd respondent/de-facto complainant before this Court. The second respondent Lalitha Kumari was present in person before this Court. She stated that the petitioner did not commit any offence and it is only A1, who had committed the offence. She further stated that she was recently married one and half years back and she has a child, who was born only 20 days back. She stated that she does not want to prosecute this case and that neither her husband nor her in-laws are aware about this case and if they come to know of the same, her whole life will be ruined.

4. Under such circumstances, no useful purpose will be served in



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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.171 of 2022, pending on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.171 of 2022, pending on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs, to the credit of the **President, Advocates Clerk Association, Ponneri, Ponneri Taluk, Thiruvallur District, (The Kancheepuram Central Co-operative Bank Ltd., Ponneri Branch, A/c No.717907005 IFSC Code:TNSC0010200)**, within a period of two weeks from today and file a photocopy of the receipt along



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N. ANAND VENKATESH, J.

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with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petitions are closed.

Post this case under the caption 'for reporting payment of cost' on 28.08.2023.

11.08.2023

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

To

1.The Special Judge,
Special Court for Exclusive Trial of Cases
under POCSO Act, Chennai.

2.The Inspector of Police,
W-5, All Women Police Station,
Veppery, Chennai – 600 007.

3.The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.17961 of 2023

and

Crl.M.P.Nos.11865 & 11867 of 2023