



Crl.O.P No.18190 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.18190 of 2023

and

Crl.M.P.No.12062 of 2023

Anthony Augustine
S/o.Benjamin

... Petitioner

vs.

1.The State represented by
The Inspector of Police,
AWPS-Chengam Police Station,
Tiruvannamalai District.
(Crime No.4 of 2019)

2.Rexi
W/o.Anthony Augustine

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the Charge Sheet pending on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Thiruvannamalai District in Spl.S.C.No.22 of 2020.

For Petitioner : Ms.S.Premakumari

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

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in Spl.S.C.No.22 of 2020, pending on the file of



Special Court for Exclusive Trial of Cases under POCSO Act, Thiruvannamalai

District 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 25.07.2023 signed by both petitioner and second respondent/*de facto* complainant 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.

4. This Court enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The victim girl Rexi was present before this Court. She stated that her date of birth is 25.03.2004 and that she got married to the petitioner on 01.09.2022. She further stated that both the families have accepted the marriage and she is now living happily with the petitioner.

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



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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.22 of 2020, pending on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Thiruvannamalai District.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.22 of 2020, pending on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Thiruvannamalai District, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

11.08.2023

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

N. ANAND VENKATESH, J.



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rsi

WEB COPY

To

- 1.The Special Judge,
Special Court for Exclusive Trial of Cases
under POCSO Act, Thiruvannamalai.
- 2.The Inspector of Police,
AWPS-Chengam Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

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