



CrI.O.P No.18480 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.18480 of 2023

and

CrI.M.P.No.12314 of 2023

Chandru
S/o.Shankar

... Petitioner

VS.

1.State by
The Inspector of Police,
Thanipadi Police Station,
Thiruvannamalai District.
Crime No.637 of 2019

2.Niveda
D/o.Devaraj

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records in Spl.S.C.No.115 of 2020 on the file of Special Court for POCSO Act cases, Tiruvannamalai and quash the same.

For Petitioner : Mr.S.Silambuselvan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]
Mr.D.Ramesh Kumar [R2]



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ORDER

WEB COPY This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.115 of 2020 on the file of Special Court for POCSO Act cases, Tiruvannamalai.

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 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.M.Nabi, Special Sub-Inspector of Police 2540, Thanipadi Police Station, Tiruvannamalai District [99762 31090]. 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.115 of 2020 on the file of Special Court for POCSO Act cases, Tiruvannamalai .



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4. The second respondent was present before this Court along with her parents Devaraj and Malliga. All of them stated that the matter has been amicably resolved and that the second respondent is going to get married to the petitioner within two months. They said that they do not want to prosecute this case any further.

5. The petitioner was also present along with his parents Shankar and Gomathi. They also undertook before this Court that the petitioner will marry the second respondent within two months and that they are already in the process of selecting an auspicious day for conducting the marriage.

6. 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



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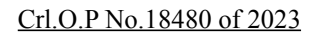
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MLJ Crl 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Spl.S.C.No.115 of 2020 on the file of Special Court for POCSO Act cases, Tiruvannamalai.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.115 of 2020 on the file of Special Court for POCSO Act cases, Tiruvannamalai, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

28.08.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm



3.The Public Prosecutor, High Court of Madras.



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N. ANAND VENKATESH., J

gm

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