



WEB COPY



Crl.O.P No.20092 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.20092 of 2023

Selvakumar
S/o.Narayanan

... Petitioner

VS.

1.State represented by
Inspector of Police,
All Women Police Station,
Thousand Lights, Chennai.
Crime No.5 of 2018

2.Mariyammal
W/o.Ravikumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.C.No.419 of 2018 on the file of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai and quash the final report as against the petitioner herein.

For Petitioner : Mr.A.Saranraj

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]



Crl.O.P No.20092 of 2023

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in S.C.No.419 of 2018 pending on the file of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.

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 victim before this Court. The petitioner, second respondent and the victim were also present in person before this Court and they were identified by Ms.J.Sarumathy, Sub-Inspector of Police, W1 All Women Police Station. In the affidavit, it has been stated that the petitioner and the victim girl have entered into a compromise and amicably settled their issues in S.C.No.419 of 2018 pending on the file of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.



4. The victim girl was present along with her parents Mr.Ravikumar and Mrs.Mariyammal. She stated that she married the petitioner on 14.05.2023 and that she is living happily with the petitioner. She further stated that both the families have accepted the marriage. The second respondent/mother of the victim girl also confirmed this fact and stated that she is no longer interested in prosecuting this case. This Court was satisfied that the parties have come to an amicable settlement between themselves.

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 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in S.C.No.419 of 2018 pending on the file of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.



WEB COPY



Crl.O.P No.20092 of 2023

N. ANAND VENKATESH., J

gm

This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.419 of 2018 pending on the file of Sessions Judge, 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.

12.09.2023

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

To

- 1.The Special Court for Exclusive Trial of Cases
under POCSO Act, Chennai.
- 2.The Inspector of Police,
All Women Police Station,
Thousand Lights, Chennai.
Crime No.5 of 2018
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.20092 of 2023