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Crl.O.P.No.25408 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.25408 of 2021

V.Harihran

...Petitioner

Vs.

1. State represented by its
The Inspector of Police,
All Women Police Station,
Sethiyathope,
Cuddalore District.
(Crime No.2 of 2019)

2. Satheeswari

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to record the compromise between the petitioner and the defacto complainant and quash the charge sheet pending case in Spl. Sessions Case No.67 of 2019 in Crime No.2 of 2019 dated 01.09.2019 on the file of the respondent police.

For Petitioner : Mr.G.Punniakoti

For Respondents

For R1 : Mr.A.Gopinath
Government Advocate (Crl. Side)



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ORDER

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This petition has been filed to quash the charge sheet pending in Spl. Sessions Case No.67 of 2019 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Cuddalore, as against the petitioner.

2. The case is still in the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. Now the victim girl married the accused and gave birth to one child and they are living happily.

3. A compromise agreement has been filed before this Court which have been signed by the petitioner and the victim girl. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the proceedings pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the



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Hon'ble Supreme Court reported in **2017 9 SCC 641** in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath***, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings in Spl. Sessions Case No.67 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl. Sessions Case No.67 of 2019 on the file of the file of the learned Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Cuddalore, is hereby quashed and the compromise agreement shall form part and parcel of this Order.

17.11.2023

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts

To

1. The Sessions Judge,
Special Court for Exclusive Trial
of cases under POSCO Act,
Cuddalore,



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G.K.ILANTHIRAIYAN. J.

rts

2. The Inspector of Police,
All Women Police Station,
Sethiyathope,
Cuddalore District.
3. The Public Prosecutor,
Madras High Court,
Chennai.

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