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Crl.OP.No.21087 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.21087 of 2023

Ananth
S/o.Late Thangadhurai

... Petitioner

Vs.

1.The State rep. by
Inspector of Police,
All Women Police Station,
Perur Police Station,
Coimbatore District,
Crime No.10 of 2020

2. Meenachi

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the entire records pursuant to the case in Spl.S.C.No.148 of 2022 on the file of the Mahila Court/Additional Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore and quash the same.

For Petitioner : Mr.K.Sudhakar

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



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.148 of 2022 on the file of the Mahila Court/Additional Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore.

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 and the victim were also present in person before this Court. In the affidavit, it has been stated that the petitioner and the victim have entered into a compromise and amicably settled their issues in Spl.S.C.No.148 of 2022 on the file of the Mahila Court/Additional Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore.

4. This Court also enquired both the parties. The victim stated that she married the petitioner in the year 2020 and through the marriage,



there is a boy child named Srilakshmanan, aged about 2½ years. The child was also brought before this Court. The mother of the victim viz., Sakunthala, who was present before this Court, stated that her daughter is now living happily with the petitioner and 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 Spl.S.C.No.148 of 2022 on the file of the Mahila Court/Additional Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore.



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N.ANAND VENKATESH, J.

gm

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.148 of 2022 on the file of the Mahila Court/Additional Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

25.09.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

- 1.The Mahila Court/Additional Special Court
for Exclusive Trial of Cases under POCSO Act,
Coimbatore.
- 2.The Inspector of Police,
All Women Police Station,
Perur Police Station,
Coimbatore District,
Crime No.10 of 2020.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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