



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.21032 of 2023

Jeevanantham

... Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
Pernamallur Police Station,
Pernamallur,
Tiruvannamalai District.

2.Thilagavathi

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Spl.S.C.No.72 of 2022 on the file of the Special Court for Trial of Cases under POCSO Act, Tiruvannamalai and quash the same.

For Petitioners : Mr.B.Jawahar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1



ORDER

WEB COPY The Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.72 of 2022 , pending on the file of the Special Court for Trial of Cases under POCSO Act, 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.The petitioner and the 2nd respondent were present in person before this Court. It has been stated that the petitioner and the 2nd respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.72 of 2022.

4.This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The victim girl Illakkiya was present before this Court and she is stated that her date of birth is 30.07.2005. She further stated that she had an affair with the petitioner and she got married to him on 08.08.2023. To substantiate the same, the Marriage Certificate that was issued by the Sub Registrar, Peranamallur was also furnished to this Court. She is stated that she is now living happily with the petitioner.



WEB COPY

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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Spl.S.C.No.72 of 2022, pending on the file of the Special Court for Trial of Cases under POCSO Act, Tiruvannamalai.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.72 of 2022, pending on the file of the Special Court for Trial of Cases under POCSO Act, Tiruvannamalai is quashed.

25.09.2023

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



WEB COPY



N.ANAND VENKATESH, J

SSR

To

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

Crl.O.P.No.21032 of 2023

25.09.2023