



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.21219 of 2023
and Crl.MP.No.14626 of 2023

Vignesh @ Vicky, M/21
S/o.Late Sivakumar

.. Petitioner/Accused

.Vs.

State rep.by
1.Inspector of Police
W-18, All Women Police Station
M.K.B.Nagar, Chennai.

.. Respondent/Complainant

Crime No.396 of 2021

2.Bilal Ahamed, A-43
S/o.Navab John

..Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Spl.SC.No.65 of 2022, on the file of the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai and quash the same.

For Petitioners : Mr.S.Ameedkar

For Respondents: Mr.A.Gopinath
Government Advocate (Crl.side)
for R1



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ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.SC.No.65 of 2022, pending on the file of the 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.Affidavit of the 2nd respondent and the undertaking affidavit of the petitioner dt.7.9.2023, has been filed before this Court. In the affidavit it has been stated that the petitioner and the 2nd respondent have entered into a compromise and amicably settled their issues in Spl.SC.No.65 of 2022.

4. The victim girl was present before this Court and she stated that already arrangements have been made to get her married to the petitioner and that both the families have agreed for the marriage. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in



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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.SC.No.65 of 2022, on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.SC.No.65 of 2022, on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Chennai is hereby quashed and the terms of affidavit of the 2nd respondent and undertaking affidavit of the petitioner shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

26.09.2023

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



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N. ANAND VENKATESH, J.
KP

To

1. Inspector of Police
W-18, All Women Police Station
M.K.B.Nagar, Chennai.
2. Special Court for Exclusive
Trial of Cases under POCSO Act, Chennai.
3. The Public Prosecutor
High Court, Madras.

Crl.O.P No.21219 of 2023

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