



WEB COPY



Crl.O.P No.3693 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.3693 of 2024

Anandhakumar

... Petitioner/
Sole Accused

.VS.

1.The Inspector of Police
All Women Police Station
Central Coimbatore City.
(Crime No.1 of 2023)

..Respondent /Complainant

2.Rural Welfare Officer
Social Welfare Committee
I/C, Central Zone, Coimbatore District
Collectorate, Coimbatore.

..Respondent/De facto Complainant

3.Baranika

..Respondent/Victim Girl

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with SPL.SC.No.109 of 2023, on the file of the Principal Special Court for POCSO Act, Coimbatore and quash the same.

For Petitioner : Ms.T.Gnana Banu

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

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in SPL.SC.No.109 of 2023, on the file of the Principal Special Court for POCSO Act, Coimbatore.



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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 victim girl was present before this Court. She stated that she married the petitioner and through the marriage, there is a child named Dhanush Kumar, aged about 10 months. She further stated that she is now happily living with the petitioner and both the families accepted their marriage. The victim girl also brought the child along with her at the time of hearing. She requested this Court to close the criminal case.

4. A Joint Compromise Memo dated 2.1.2024, signed by both the petitioner and the 2nd respondent has been filed before this Court. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. The petitioner and the 2nd respondent/victim, were also present in person before this Court. In the joint compromise memo, it has been stated that the petitioner and the 2nd respondent/victim girl have entered into a compromise and amicably settled their issues in SPL.SC.No.109 of 2023, on the file of the Principal Special Court for POCSO Act, Coimbatore.

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.



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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, quash the proceedings in SPL.SC.No.109 of 2023, on the file of the Principal Special Court for POCSO Act, Coimbatore.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in SPL.SC.No.109 of 2023, on the file of the Principal Special Court for POCSO Act, Coimbatore, is quashed and the terms of Joint compromise memo shall form part and parcel of this order.

19.02.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
KP
To

- 1.The Inspector of Police
All Women Police Station
Central Coimbatore City.
- 2.Rural Welfare Officer
Social Welfare Committee
I/C, Central Zone, Coimbatore District
Collectorate, Coimbatore.
- 3.Principal Special Court for POCSO Act
Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras.



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N. ANAND VENKATESH., J

KP

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