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CrI.O.P.No.2995 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.2995 of 2024

Manimuthu

... Petitioner

Vs.

1.State Rep. by
The Inspector of Police
Kottur Police Station,
Coimbatore District.
Crime No.336 of 2021

2.Sumathi

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for records relating to the Spl.S.C.No.30 of 2023 on the file of the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore and quash the same.

For Petitioner : M/s.M.N.Balakrishnan
For Respondents : Mr.A.Gopinath for R1
Government Advocate (CrI. Side)

O R D E R

The criminal original petition has been filed seeking to call for the



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records pertaining to the proceedings in Spl.S.C.No.30 of 2023, pending on the file of the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore and quash the same.

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 through the marriage, there is a child named Sastika aged about 1-1/2 years. The child was also brought to the Court. The victim girl was accompanied by the petitioner who is her husband and she requested this Court to close the case.

4.The Joint Memo of Compromise dated 05.02.2024 has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court. In order to identify the respective parties they have



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also produced the copies of the Aadhaar Card and they are made part of the record. In the joint compromise memo it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Spl.S.C.No.30 of 2023. 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 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 Vs. 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.30 of 2023 pending on the file of the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore.

6.This criminal original petition stands allowed and as a sequel,



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N.ANAND VENKATESH,J.

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the proceedings in Spl.S.C.No.30 of 2023 on the file of the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

15.02.2024

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore.

2.The Inspector of Police
Kottur Police Station,
Coimbatore District.
Crime No.336 of 2021

3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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