



Crl.O.P.No.6342 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.6342 of 2024

And

Crl.M.P.No.4671 of 2024

Sathya

... Petitioner

Vs.

1.State rep. by
Inspector of Police
W18, All Woman Police Station,
MKB Nagar, Vyasarpadi,
Chennai – 600 039.
(Crime No.226 of 2023)

2.S.Chellapandiyan

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in Spl.S.C.No.181 of 2023 in Crime No.226 of 2023 on the file of the Additional Special Court for Exclusive Trial of Cases under POCSO Act, (Mahalir Neethimandram), Allikulam, Chennai – 3 and quash the same.

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

O R D E R

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



CrI.O.P.No.6342 of 2024

records pertaining to the proceedings in Spl.S.C.No.181 of 2023, pending on the file of the Additional Special Court for Exclusive Trial of Cases under POCSO Act, (Mahalir Neethimandram), Allikulam, Chennai 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 boy was present before this Court along with his Father Chellapandiyan who is the defacto complainant in this case. The victim boy stated that he has married the petitioner with whom he had a love affair during June, 2023. He further stated that the petitioner is now living with him in the matrimonial home and the same has been accepted by both the families. The Father of the victim boy who is the defacto complainant requested this Court to close the criminal case.

4.The Joint Memo of Compromise dated 18.03.2024 has been filed before this Court which has been signed by the petitioner and the second respondent and also by the learned counsel for the petitioner.



CrI.O.P.No.6342 of 2024

The petitioner and the second respondent were also present in person before this Court and they were identified by Ms.P.Uma Sugandhi, Women Constable Grade I 30933 (Cell No.9498130292). 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.181 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.181 of 2023 pending on the file of the Additional Special Court for Exclusive Trial of Cases under POCSO Act, (Mahalir Neethimandram), Allikulam, Chennai.



Crl.O.P.No.6342 of 2024

N.ANAND VENKATESH,J.
pri

WEB COPY

6.This criminal original petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.181 of 2023 on the file of the Additional Special Court for Exclusive Trial of Cases under POCSO Act, (Mahalir Neethimandram), Allikulam, Chennai, is quashed and the terms of the Joint Memo of Compromise shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

27.03.2024

pri
Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Additional Special Court for Exclusive Trial of Cases under POCSO Act, (Mahalir Neethimandram), Allikulam, Chennai.
- 2.The Inspector of Police
W18, All Woman Police Station,
MKB Nagar, Vyasarpadi,
Chennai – 600 039.
(Crime No.226 of 2023)
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

Crl.O.P.No.6342 of 2024
And
Crl.M.P.No.4671 of 2024