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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.4036 of 2024
and CrI.MP.No.2993 of 2024

M.Viknesh @ Vignesh

.. Petitioner

VS.

1.State rep.by
The Inspector of Police
All Women Police Station (AWPS)
Villupuram District.
Crime No.25 of 2022

2.Mrs.Shyamala

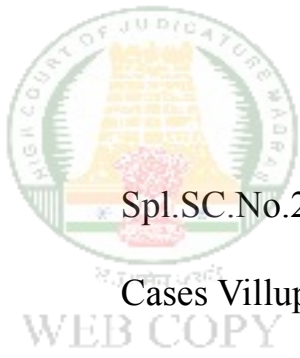
..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the charge sheet in Spl.SC.No.225 of 2022 on the file of the Special Court for POCSO Act, Cases Villupuram and quash the same.

For Petitioner : Mr.N.Naganathan

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

ORDER



Spl.SC.No.225 of 2022, pending on the file of the Special Court for POCSO Act, Cases Villupuram.

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 and they were identified by Ms.D.Ramya, (Mobile No.9498155254) WGRI-690, AWPS Villupuram. 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.225 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 was present before this Court. She stated that her date of birth is 06.03.2005. She further stated that she married the petitioner and there is a 1½ year old age child named Sudharshan born through marriage and she further stated that both the families have accepted the marriage and she is now living happily with the petitioner. She requested this Court to close the criminal prosecution.



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.SC.No.225 of 2022, pending on the file of the Special Court for POCSO Act, Cases Villupuram.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.SC.No.225 of 2022, pending on the file of the Special Court for POCSO Act, Cases Villupuram is quashed. Consequently, connected miscellaneous petition is closed.

22.02.2024

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

To

1.The Special Court for POCSO Act, Cases Villupuram.



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N. ANAND VENKATESH,. J.

SSR

2.The Inspector of Police
All Women Police Station (AWPS)
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

Crl.O.P No.4036 of 2024
and Crl.MP.No.2993 of 2024

22.02.2024