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Crl.O.P. No. 6450 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2024

CORAM

THE HON'BLE MR. JUSTICE N. ANAND VENKATESH

CRL.O.P. No. 6450 of 2024

Mohan

..Petitioner

Vs.

1.State Rep. By
The Inspector of Police,
AWPS, W-22, Mylapore,
Chennai District.

2. Jestice Stephen

..Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to call for the records and quash the proceedings in Spl SC No.30 of 2023 on the file of the Special Court under POCSO Act, Allikulam against the petitioner.

For Petitioner	::	Mr.P.Chandrasekar
For Respondent	::	Mr.A.Gopinath
		Government Advocate for R1



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ORDER

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The Criminal Original Petition has been filed seeking to quash the proceedings in Spl SC No.30 of 2023 on the file of the Special Court under POCSO Act, Allikulam.

2. The case is still in 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 along with his father, who is the defacto complainant in this case was present before this Court. She stated that she married the petitioner and out of the said wedlock, there is a child viz., Prince aged about six months. The victim girl and her father stated that they are no longer willing to continue with this criminal case and requested this Court to close the case.

4. The Joint Compromise Memo dated 06.03.2024 has been filed by the petitioner and the 2nd respondent/de-facto complainant before this



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Court. The petitioner and the victim girl were also present in person before this Court. In order to identify the respective parties, they have also produced the copy of the Aadhaar Card, which is made part of the record. In the compromise memo, it has been stated that the petitioner and the respondent have entered into a compromise and amicably settled their issues in Spl SC No.30 of 2023 on the file of the Special Court under POCSO Act, Allikulam.

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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the proceedings in Spl SC No.30 of 2023 on the file of the Special Court under POCSO Act, Allikulam.



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6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl SC No.30 of 2023 on the file of the Special Court under POCSO Act, Allikulam is quashed and the terms of memo shall form part and parcel of this order.

18.03.2024

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

To

1. The Special Court under POCSO Act, Allikulam.

2. State Rep. By

The Inspector of Police,
AWPS, W-22, Mylapore,
Chennai District.

3. The Public Prosecutor,
High Court, Madras.

N. ANAND VENKATESH,J.

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