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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.5117 of 2024

1.Krishnan @ Kannan

2.Sudhakar

3.Ajay

4.Muniyappan

.. Petitioners/Accused-1 to 4

vs.

1.The State rep.by
Inspector of Police
Thandarampattu Police Station
Thiruvannamalai District.

..1st Respondent/Complainant

2.Nithiya

..2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records connected with the charge sheet in Spl.SC.No.12 of 2023 on the file of the learned Special Court for the exclusive trial of Pocso Act Cases, Tiruvannamalai and quash the same.

For Petitioners : Mr.J.NE.Sathyaraj

For Respondents : Mr.A.Gopinath
Government Advocate
for R1

**ORDER**

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.SC.No.12 of 2023 on the file of the Special Court for the exclusive trial of Pocso Act Cases, Tiruvannamalai .

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 the Court. She stated that her date of birth is 24.5.2004. She further stated that she has already married the 1st petitioner on 16.7.2022 and through the marriage, there is a son aged about 5 months named Yogamithran. The victim girl came along with her mother, who is the de facto complainant in this case. Both of them requested this Court to close the criminal prosecution. The victim girl and her mother stated that both the family members accepted the marriage and the victim girl is also living happily with the 1st petitioner.

4. A Joint Compromise Memo dated 22.2.2024 signed by the petitioners, second respondent and the victim and their respective counsel has been filed before this Court. The petitioners, second respondent 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 is made part of the record. In the joint compromise memo, it has been stated that the petitioners, second respondent and



the victim girl have entered into a compromise and amicably settled their issues in Spl.SC.No.12 of 2023 on the file of the Special Court for the exclusive trial of Pocso Act Cases, Tiruvannamalai .

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, quash the proceedings in Spl.SC.No.12 of 2023 on the file of the Special Court for the exclusive trial of Pocso Act Cases, Tiruvannamalai .

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.SC.No.12 of 2023 on the file of the Special Court for the exclusive trial of Pocso Act Cases, Tiruvannamalai, is quashed and the terms of Joint compromise memo and affidavit shall form part and parcel of this order.

04.03.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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N. ANAND VENKATESH,, J.

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To

1. Inspector of Police
Thandampattu Police Station
Thiruvannamalai District
2. Special Court for the
exclusive trial of Pocso Act Cases,
Tiruvannamalai.
3. The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.5117 of 2024

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