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Criminal Original Petition No.6306 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.6306 of 2024

S.Srikanth
S/o.Sankar

... Petitioner

Vs.

1. The State Rep. By its
Inspector of Police
Polur All Women Police Station (AWPS)
Tiruvannamalai District

2. Nandhini

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the entire records connected with the charge sheet in Spl.S.C.No.10 of 2022 on the file of the Special Court for the exclusive trial of POCSO Act Cases, Tiruvannamalai and quash the same.

For Petitioner : Mr.E.Sathiyaraj

For Respondents : Mr.A.Gopinath
Govt. Advocate (Crl.side) [R1]



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.10 of 2022 pending on the file of 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. A Joint Compromise Memo dated 22.02.2024 signed by both parties and affidavits of petitioner and second respondent have been filed before this Court. The petitioner and second respondent were also present in person before this Court. In the Joint Memo of Compromise and in the affidavits, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.10 of 2022 pending on the file of Special Court for the exclusive trial of POCSO Act Cases, Tiruvannamalai.



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4. This Court also enquired both the parties. The victim girl stated that her date of birth is 25.10.2004 and that she married the petitioner on 18.02.2024. She stated that she came along with her mother and she requested this Court to close the criminal case. This Court 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 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 proceedings in Spl.S.C.No.10 of 2022 pending on the file of Special Court for the exclusive trial of POCSO Act Cases, Tiruvannamalai.



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N.ANAND VENKATESH, J.

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This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.10 of 2022 pending on the file of Special Court for the exclusive trial of POCSO Act Cases, Tiruvannamalai, is quashed and the terms of Joint Compromise Memo dated 22.02.2024 and the terms of affidavits shall form part and parcel of this order.

15.03.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

- 1.The Special Court for the
exclusive trial of POCSO Act Cases,
Tiruvannamalai.
2. The Inspector of Police
Polur All Women Police Station (AWPS)
Tiruvannamalai District
- 3.The Public Prosecutor,
High Court, Madras.

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