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CrI.O.P.No.6901 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.6901 of 2024

Senthilnathan

... Petitioner

Vs.

1.State by:

Inspector of Police
AWPS Central
Coimbatore City.
(Crime No.3 of 2023)

2.Bhuvaneshwari

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the entire records connected with the case in Spl.S.C.No.96 of 2023 on the file of the learned Additional Special Court for POCSO Act, Coimbatore and quash the same.

For Petitioner : M/s.M.Muthu Yazhini
For Respondents : Mr.A.Gopinath for R1
Government Advocate (CrI. Side)

O R D E R

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



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records pertaining to the proceedings in Spl.S.C.No.96 of 2023, pending on the file of the Additional Special Court for POCSO Act, Coimbatore 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 girl was present before this Court. She stated that her date of birth is 17.12.2005. She further stated that she married the petitioner and through the marriage there is a child named Sri Sai aged about one year. She further stated that she is now living happily with the petitioner and that both the families have accepted the marriage. She requested this Court to close the criminal case.

4.The Joint Memo of Compromise dated 05.03.2024 has been filed before this Court which have been signed by the petitioner and the second respondent/ victim girl and also by the learned counsel for the petitioner. The petitioner and the victim girl were also present in person before this Court and they were identified by Ms.L.Indrani,



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Special Sub Inspector of Police, AWPS, Central Coimbatore City. In the joint compromise memo it has been stated that the petitioner and the victim girl had entered into a compromise and amicably settled their issues in Spl.S.C.No.96 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.96 of 2023 pending on the file of the Additional Special Court for POCSO Act, Coimbatore.

6.This criminal original petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.96 of 2023 on the file of the Additional



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N.ANAND VENKATESH,J.
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Special Court for POCSO Act, Coimbatore, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

20.03.2024

pri

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

To

- 1.The Additional Special Court for POCSO Act,
Coimbatore.
- 2.The Inspector of Police
AWPS Central
Coimbatore City.
(Crime No.3 of 2023)
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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