



WEB COPY



Criminal Original Petition No.7749 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.7749 of 2024

1.Manigandan
S/o.Venkatesan

2.Muniammal @ Vaalmuni
W/o.Venkatesan

... Petitioners

Vs.

1.The State represented by
Inspector of Police,
W-18, AWPS MKB Nagar Police Station,
Chennai.

2.Tamil Priya
D/o.Sasikumar

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records and quash the final report/charge sheet in Spl.S.C.No.223 of 2023 on the file of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.

For Petitioners : Mr.S.Deva
For Respondents : Mr.A.Gopinath
Government Advocate (Crl.side) [R1]

ORDER



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This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.223 of 2023 pending on the file of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.

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 08.03.2024 signed by both parties and affidavits of petitioners and second respondent have been filed before this Court. The petitioners and second respondent were also present in person before this Court and they were identified by Ms.S.Selva Meena, Grade I 38415, W-18, AWPS, M.K.B Nagar. In the Joint Memo of Compromise and in the affidavits, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.223 of 2023 pending on the file of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.

4. This Court also enquired both the parties. The victim girl stated that her date of birth is 02.03.2005. She further stated that she married the



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first petitioner and through the marriage, there is a child, named Harinath Sri, aged 1½ years. The victim girl came along with the first petitioner and mother-in-law, who has been arrayed as A2 in this case. She stated that she is now living happily with the first petitioner and requested this Court to close this 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.223 of 2023 pending on

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gm
the file of Sessions Judge, Special Court for Exclusive Trial of Cases



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under POCSO Act, Chennai.

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This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.223 of 2023 pending on the file of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai, is quashed and the terms of Joint Compromise Memo and the terms of affidavits shall form part and parcel of this order.

28.03.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

gm

To

1.The Sessions Judge,
Special Court for Exclusive Trial of Cases
under POCSO Act, Chennai.

2.The Inspector of Police,
W-18, AWPS MKB Nagar Police Station,
Chennai.

3.The Public Prosecutor,
High Court, Madras.

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