



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP No.22678 of 2023

1.Kumaresan ...Petitioner/Accused No.2

.Vs.

1.The Inspector of Police
All Women Police Station
Kancheepuram
Kancheepuram District.

.. Respondent /Dejure Complainant

2.Selvi
Organization of Women Welfare Center
District Social Welfare Department
Kancheepuram.

..Respondent/ De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in SLP.SC.No.147 of 2023 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu and quash the same.

For Petitioners : Mr.S.Veeraraghavan

For Respondents : Mr..A.Gopinath
Government Advocate (Crl.Side)
for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in SLP.SC.No.147 of 2023 on the file of Special Court for



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 at the time of hearing and she stated that her date of birth is 23.2.2005. She further stated she married the petitioner and through marriage there is a child named Mothika Shree aged about 1 ½ years. The child was also present at the time of hearing. She stated she is happily living with the petitioner.

4. An Affidavit dated 18.10.2023, has been filed by the victim girl has been filed before this Court. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. The petitioner and the victim girl were also present in person before this Court. In the affidavit, it has been stated that the petitioner and the victim girl have entered into a compromise and amicably settled their issues in SLP.SC.No.147 of 2023 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu.

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 SLP.SC.No.147 of 2023 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in SLP.SC.No.147 of 2023 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu, is quashed and the terms of affidavit shall form part and parcel of this order.

23.01.2024

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

To

- 1.The Inspector of Police
All Women Police Station
Kancheepuram
Kancheepuram District.
- 2.Selvi
Organization of Women Welfare Center
District Social Welfare Department
Kancheepuram
3. Special Court for Exclusive Trial of Cases
under POCSO Act, Chengalpattu.

3.The Public Prosecutor,
High Court of Madras.



4

N.ANAND VENKATESH.J.,

kp

CRL.OP No.22678 of 2023

23.01.2024