



CrI.O.P.No.25699 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.25699 of 2023

and

CrI.M.P.No.17827 of 2024

Sridhar,
S/o.Perumal

... Petitioner

Vs.

1.State represented by
the Inspector of Police,
Alandurai Police Station,
Coimbatore District.

2.Suruthi @ Suruthika

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records pertaining to Spl.S.C.No.41 of 2023 pending on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore and quash the same.

For Petitioner : Mr.K.C.Karl Marx

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

ORDER



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The Criminal Original Petition has been filed to call for the records relating to the case in Spl.S.C.No.41 of 2023 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act 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 Affidavit dated 02.01.2024 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.H.Senthil Kumar, Sub Inspector of Police, Alandurai Police Station, Coimbatore District. In the affidavit it has been stated that the petitioners and the second respondent had entered into a compromise and amicably settled their issues in Spl.S.C.No.41 of 2023 pending on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore.

4.This Court also enquired both the parties and was satisfied that



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the parties have come to an amicable settlement between themselves. The victim girl was present before this Court and she is stated that her date of birth is 14.08.2004. She is stated that she married the petitioner and there is a girl child named Joshna Sri aged about 1 ½ years. She further stated that she is now living happily with the petitioner and that the marriage has been accepted by both the families. The child was also brought at the time of hearing.

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 CrL 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Spl.S.C.No.41 of 2023 pending on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore.

N.ANAND VENKATESH, J.



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6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.41 of 2023 pending on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore, is quashed and the terms of Compromise affidavits shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

01.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

1.The Special Court for Exclusive Trial of Cases
under POCSO Act,
Coimbatore.

2.The Inspector of Police,
Alandurai Police Station,
Coimbatore District.

3.The Public Prosecutor,
High Court, Madras.

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