



CrI.O.P.No.2888 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.2888 of 2024

V.Nandhakumar

... Petitioner

Vs.

1.The State rep. by its
Inspector of Police
All Women Police Station,
Perur,
Coimbatore District.

2.Public Welfare Officer,
Thondamuthur,
Coimbatore.

3.Gunasiya.A

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records and quash the charge sheet in Spl.S.C.No.67 of 2023 pending on the file of the learned VII Mahila Judge/ Additional Special Court for Trial of Cases under POCSO Act, Coimbatore.

For Petitioner : Mr.I.M.Siddartha Ramarajan
For Respondents : Mr.A.Gopinath
Government Advocate (CrI. Side)



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ORDER

WEB COPY

The criminal original petition has been filed seeking to call for the records pertaining to the proceedings in Spl.S.C.No.67 of 2023, pending on the file of the learned VII Mahila Judge/ Additional Special Court for Trial of Cases under 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 11.09.2005. She further stated that she married the petitioner and through the marriage, there is a child aged about one year named Pranith. The victim girl came along with her mother Yasodha. The mother of the victim girl and the victim girl requested this Court to close the criminal proceedings.

4.The affidavit of the petitioner dated 25.01.2024 and the affidavit of the victim girl dated 25.01.2024 have been filed before this Court. The petitioner and the victim girl were also present in person



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before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and they are made part of the record. 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 Guj Rath)**, 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.67 of 2023, pending on the file of the learned VII Mahila Judge/ Additional Special Court for Trial of Cases under POCSO Act, Coimbatore.

6.This criminal original petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.67 of 2023, on the file of the learned VII Mahila Judge/ Additional Special Court for Trial of Cases under POCSO



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N.ANAND VENKATESH,J.

pri

Act, Coimbatore, is quashed and the terms of affidavits shall form part and parcel of this order.

13.02.2024

pri

Note: Issue order copy on 15.02.2024.

Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The VII Mahila Judge/ Additional Special Court for Trial of Cases
under POCSO Act, Coimbatore.

2.The Inspector of Police
All Women Police Station,
Perur,
Coimbatore District.

3.The Public Welfare Officer,
Thondamuthur,
Coimbatore.

4.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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