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Criminal Original Petition No.5172 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 05.03.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Criminal Original Petition No.5172 of 2024**

R.Buvaneshwaran  
S/o.Rangasamy

... Petitioner

Vs.

1. State represented by  
Inspector of Police,  
Karamadai Police Station,  
Coimbatore District.  
(Crime No.185 of 2022)

2. R.Janaki  
W/o.R.Bhuvaneshwari

... Respondents

**Prayer:** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for records pertaining to Special S.C.No.152 of 2022 before the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore and quash the same.

For Petitioner : Mr.R.Ragavendran

For Respondents : Mr.A.Gopinath  
Govt. Advocate (Crl.side) [R1]

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## **ORDER**

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This Criminal Original Petition has been filed seeking to quash the proceedings in Special S.C.No.152 of 2022 pending on the file of Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore .

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 31.01.2023 signed by both parties and affidavits of petitioner and second respondent have been filed before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by Mr.V.Palaniyandi Sub-Inspector of Police, Karamadi Police Station, Coimbatore District [99423 46854]. In the Joint Memo of Compromise and in the affidavits, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Special S.C.No.152 of 2022 pending on the file of Principal Special Court for



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Exclusive Trial of Cases under POCSO Act, Coimbatore .

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4. This Court also enquired both the parties. The victim girl stated that her date of birth is 09.09.2005, she married the petitioner and through the marriage, there is a girl baby named Srisha aged about 2 years. She is now living happily with the petitioner and requested this Court to close the criminal case. She was present before this Court along with the petitioner and the child. 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 Special S.C.No.152 of 2022 pending



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**N.ANAND VENKATESH, J**  
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on the file of Principal Special Court for Exclusive Trial of Cases under  
POCSO Act, Coimbatore .

This Criminal Original Petition stands allowed and as a sequel, the  
proceedings in Special S.C.No.152 of 2022 pending on the file of  
Principal Special Court for Exclusive Trial of Cases under POCSO Act,  
Coimbatore , is quashed and the terms of Joint Compromise Memo and  
the terms of affidavits shall form part and parcel of this order.

**05.03.2024**

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

- 1.The Principal Special Court for  
Exclusive Trial of Cases under POCSO Act,  
Coimbatore
2. The Inspector of Police  
Karamadai Police Station  
Coimbatore District
3. The Public Prosecutor, Madras High Court, Chennai

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