



WEB COPY

Crl.O.P.(MD).No.11280



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.11280 of 2022
and
Crl.M.P.(MD).Nos.7114 & 7115 of 2022

- 1.Anusiyamery
- 2.Gunasekaran
- 3.Mocham
- 4.Loomi Anand
- 5.Arulraj
- 6.Selvam
- 7.Stella Mary
- 8.Lakshmi @ Nagalakshmi
- 9.Dhatchamery
- 10.Dhanasehelli
- 11.Susairah @ Maria Susaiyappar
- 12.Saravanan
- 13.Banupriya
- 14.Shanmugathai

...Petitioners

Vs.

- 1.State represented by
the Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai District.

2.Anusiyameri

...Respondents



Crl.O.P.(MD).No.11280

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in Spl.S.C.No.43 of 2022 in Crime No.9 of 2021 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act and quash the same as against Accused Nos.6 to 17, 22, 23 and 28.

For Petitioners : Mr.G.R.Gokul Abimanyu

For R-1 : Mr.A.Albert James,
Government Advocate (Crl. Side)

ORDER

This petition has been filed to quash the proceedings in Spl.S.C.No.43 of 2022 in Crime No.9 of 2021 on the file of the Special Court for Exclusive Trial of Cases under the POCSO Act and quash the same as against Accused Nos.6 to 17, 22, 23 and 28.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the first respondent Police.

3. When the matter was taken up for hearing today, the victim girl was present before this Court along with her mother, who was originally the *defacto* complainant. The victim girl stated that her date of birth is 09.06.2003 and that she has married Manikandan and through the marriage, there is a five year old boy and the Marriage Certificate dated 23.09.2024 issued by the Marriage Registrar, District Registrar Office South was also produced before this Court. She also brought the child along with her. She was accompanied by her mother.



Crl.O.P.(MD).No.11280

WEB COPY

4. Taking into consideration the facts and circumstances of the case and considering the fact that the victim girl and Manikandan (A1) are now settling down in life and they have a child, who is nearly five months old, it will not be in the interest of both the parties to prosecute further in this case. The mother of the victim girl also confirmed the fact that she does not want to prosecute this case.

5. Accordingly, this Criminal Original Petition is allowed and the proceedings pending in Spl.S.C.No.43 of 2022 in Crime No.9 of 2021 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act is quashed in entirety against all the accused persons.

6. It was brought to the notice of this Court that a sum of Rs.50,000/- was received as victim compensation. There shall be a direction to the second respondent to refund this amount within a period of four weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

19.12.2024

Index : Yes / No
Internet : Yes / No
Speaking Order/Non Speaking Order
TSG



Crl.O.P.(MD).No.11280

To

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

WEB COPY

2.The Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD).No.11280

N.ANAND VENKATESH, J.

TSG

Crl.O.P.(MD).No.11280 of 2022

19.12.2024