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Crl.O.P.(MD).No.3936

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.3936 of 2023

and

Crl.M.P.(MD).Nos.3530 and 3531 of 2023

Gunasekaran

...Petitioner

Vs.

The State represented by
the Inspector of Police,
All Women Police Station,
Pattukkottai, Thanjavur District.
(Crime No.20 of 2022)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to call for the records of the charge sheet in connection with Spl.S.C.No.57 of 2022 on the file of the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Thanjavur, Thanjavur District and quash the same.

For Petitioner

: Mr.B.Jeyakumar

For Respondent

: Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side)

For Defacto complainant

: Mr.K.Bairavan



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ORDER

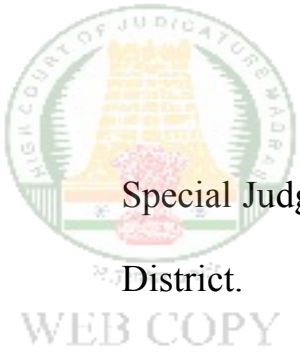
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This Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.57 of 2022 on the file of the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Thanjavur, Thanjavur District.

2. The case is still in 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 along with her mother. She stated that her age is twenty years and that she has married the petitioner. The mother of the victim girl was also present before this Court. The registration certificate of the marriage dated 19.07.2023 was also produced before this Court.

4. Joint compromise memo dated 25.07.2023, has been filed before this Court which has been signed by the petitioner and the de facto complainant and also by their respective counsel. The petitioner and the defacto complainant were also present in person before this Court and they were identified by Mr.K.Jeyaraj, Head Constable, Athirampattinam Police Station. In the affidavit, it has been stated that the petitioner and the defacto complainant have entered into a compromise and amicably settled their issues in Spl.S.C.No.57 of 2022 on the file of the learned



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Special Judge for Exclusive Trial of Cases under POCSO Act, Thanjavur, Thanjavur District.

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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., to quash the proceedings in Spl.S.C.No.57 of 2022 on the file of the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Thanjavur, Thanjavur District.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.57 of 2022 on the file of the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Thanjavur, Thanjavur District, is hereby quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

12.12.2024

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

To

<https://www.mhc.tn.gov.in/judis>



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

2.The Inspector of Police,
All Women Police Station,
Pattukkottai, Thanjavur District.

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



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N.ANAND VENKATESH, J.

TSG

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