



Crl.O.P.No. 3498 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.3498 of 2025

D. Pukazharasan

... Petitioner

Vs.

1. The State Rep by
Station House Officer,
Devanampattinam Police Station,
Cuddalore.
(Cr.No.117/2022)

2. Sarojadevi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., and 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Special Case No.40 of 2023 on the file of the Sessions Judge/Mahila Court, Cuddalore and quash the same.

For Petitioner : Mr. N.U.Pressanna

For Respondents : Mr.A.Gopinath, Govt. Advocate
(crl.side) for R1

ORDER

This Criminal Original Petition has been filed to quash the Spl.SC.No.40 of 2023 of 2017 on the file of the Sessions Judge/Mahila Court, Cuddalore, thereby taken cognizance for the offences under Sections 366, 343 of IPC, r/w.Section 5(1) & 6 of POCSO Act.



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WEB COPY 2. Pending this petition, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves.

3. A Joint Memo of Compromise dated 18.02.2025 has been filed before this Court, which has been signed by the petitioner, the respondent/defacto complainant and the victim girl and also by the counsel for the petitioner. All the parties are present and the respondent/defacto complainant and the victim girl were identified by the 1st respondent Police. In order to identify the respective parties, they have also produced the copies of their Aadhaar Card and the same are made as part of the records. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the proceeding 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 of BNSS, 2023,



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quashes the proceeding in Special Case No.40 of 2023 pending trial on the file of the Sessions Judge/Mahila Court, Cuddalore.

5.In view of the above, the proceedings in Special Case No.40 of 2023 on the file of the Sessions Judge/Mahila Court, Cuddalore is hereby quashed as against the petitioner alone. The Trial Court is directed to proceed with the trial as against the other accused persons. The terms of Joint Memo of Compromise shall form part and parcel of this Order.

6.Accordingly, the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

18.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
msr
To

1. The Sessions Judge/Mahila Court, Cuddalore.

2.The Station House Officer,
Devanampattinam Police Station,
Cuddalore.

3. The Public Prosecutor,
Madras High Court,
Chennai.

G.K.ILANTHIRAIYAN, J.

msr



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