



CrI.O.P.No. 3824 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM:

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

CrI.O.P.No.3824 of 2025

K. Gowtham

... Petitioner

Vs.

1. The State represented by
the Inspector of Police,
W-15, All Women Police Station,
Royapuram, Chennai.
(Cr.No.8/2021)

2. Jayanthi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to accept the petitioner's affidavit and quash the charge sheet filed in Spl.SC.No.34 of 2023 on the file of learned Special Court for Exclusive Trial of Cases under POCSO Act, Allikulam, Chennai against the petitioner.

For Petitioner : Mr. R. Sebastian Raj

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

ORDER



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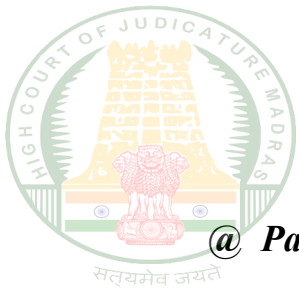
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This Criminal Original Petition has been filed to quash the Spl.SC.No.34 of 2023 on the file of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Allikulam, Chennai, thereby taken cognizance for the offences under Sections 366, 343, 376(3) IPC and Section 6 of POCSO Act.

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 31.01.2025 has been filed before this Court, which has been signed by the petitioner, the 2nd respondent/defacto complainant and also by the counsel for the petitioner. All the parties are present and the respondent/defacto complainant is 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**



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@ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 of BNSS, 2023, quashes the proceeding in Spl.SC.No.34 of 2023 pending trial on the file of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Allikulam, Chennai.

5.In view of the above, the proceedings in Spl.SC.No.34 of 2023 on the file of learned Special Court for Exclusive Trial of Cases under POCSO Act, Allikulam, Chennai 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.

18.02.2025

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

msr

G.K.ILANTHIRAIYAN, J.

msr



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To
1. The Special Court for Exclusive Trial of Cases under POCSO Act,
Allikulam, Chennai

2. The Inspector of Police,
W-15, All Women Police Station,
Royapuram, Chennai.

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

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