



Crl.O.P.No.6385 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

CORAM:

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

Crl.O.P.No.6385 of 2025

B.Surya

... Petitioner

Vs

1. State Rep.By,
The Inspector of Police,
W-30, Poonamallee All Women Police Station,
Chennai - 600 056.
Cr.No.04/2017.

2. Venkatesan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C/ 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the proceedings pending trial in Spl.SC.No.39 of 2019 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu District for an offence u/s.12 r/w 11 and 18 of POCSO Act, 2012 and 448 of IPC.

For Petitioner : Mr.C.Mohanraj
For R1 : M/s J.R.Archana
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed challenging the final report filed in Spl.SC.No.39 of 2019 on the file of the learned Sessions Judge,



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Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu District.

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2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the first respondent and perused the materials available on record.

3. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A Joint Memo of Compromise has been filed by the petitioner and the second respondent before this Court stating that now the second respondent's daughter got married with the petitioner and living with him in very happiest manner. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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5. It is seen that now the victim girl viz., the second respondent's daughter married the petitioner/accused. Their marriage also got registered before the authority concerned. Now both are living happily and therefore, the petitioner need not go for an ordeal of trial.

6. 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 528 of BNSS, 2023, quashes the proceeding in Spl.SC.No.39 of 2019 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu District.

7. In view of the above, the proceedings in Spl.SC.No.39 of 2019 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu District, is hereby quashed as against the petitioner. The Joint Compromise memo dated 17.02.2025 filed by the petitioner and the second respondent shall form part and parcel of this Order.



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8. In the result, this Criminal Original Petition stands allowed.

06.03.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn

To

1. The Sessions Judge,
Special Court for Exclusive Trial of Cases
under POCSO Act,
Chengalpattu District.
2. The Inspector of Police,
W-30, Poonamallee All Women Police Station,
Chennai - 600 056.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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