



*Crl.O.P.No.5368 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2025

CORAM:

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

Crl.O.P.No.5368 of 2025  
and Crl.M.P.Nos.3480 and 3481 of 2025

1. Vetrivel
2. Varalaskhsmi
3. Velmurugan
4. Nandhakumar
5. Gubendran

... Petitioner

Vs.

1. The State Rep. by  
The Inspector of Police,  
W-3, Egmore All Women Police Station,  
Chintadripet, Chennai.

2. Mrs.P.Rajeshwari

... Respondents

**PRAYER:** The Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the proceedings in Spl.S.C.No.38 of 2024 pending trial before the learned Additional Special Court for exclusive trial of case under POCSO Act Magalir Neethimandram Alikulam at Chennai.

For Petitioner : Mr.K.Karthik

For Respondent : Mr.A.Gopinath  
No.1 Government Advocate (Crl.Side)



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**ORDER**

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This Criminal Original Petition has been filed to quash the Special S.C.No.38 of 2024 on the file of the learned Additional Special Court for Exclusive Trial of case under POCSO Act, Magalir Neethimandram, Allikulam, Chennai thereby taken cognizance for the offences under Sections 366, 344, 506(ii) of IPC r/w under Section 5(1), 6 of Prevention of Child from Sexual Offence Act, 2012 and under Section 9,10 of Prohibition of Child Marriage Act, 2006.

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

3. An affidavit has been filed by the second respondent before this Court stating that her daughter had married the first petitioner and living with him in very happiest manner. All the parties are present and identified by their respective counsel and the Police. 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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4. It is seen that now the victim girl attains majority and she married the first petitioner/accused and gave birth to a child. Now both are living happily and therefore, the petitioners need not go for ordeal of trial.

5. 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in Special S.C.No.38 of 2024 pending trial on the file of the learned Additional Special Court for Exclusive Trial of case under POCSO Act, Magalir Neethimandram, Allikulam, Chennai

6. In view of the above, the proceedings in Special S.C.No.38 of 2024 on the file of the learned Additional Special Court for Exclusive Trial of case under POCSO Act, Magalir Neethimandram, Allikulam, Chennai is hereby quashed as against the petitioners. The affidavit filed by the second respondent shall form part and parcel of this Order.



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7. Accordingly, the Criminal Original Petition stands allowed.

WEB CON Consequently, connected miscellaneous petitions are closed.

**26.02.2025**

Vv

To

1. The Additional Special Court for  
Exclusive Trial of case under  
POCSO Act, Magalir Neethimandram,  
Allikulam, Chennai
2. The Inspector of Police,  
W-3, Egmore All Women Police Station,  
Chintadripet, Chennai.
3. The Public Prosecutor,  
High Court of Madras,  
Chennai.



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**G.K.ILANTHIRAIYAN, J.**  
Vv

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and Crl.M.P.Nos.3480 and 3481 of 2025

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