



Crl.O.P.No.6939 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2025

CORAM:

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

Crl.O.P.No.6939 of 2025

Ganesan @ Karthick

... Petitioner

Vs.

1. The Inspector of Police,
All Women Police Station East,
Coimbatore City,
Coimbatore District.

2. Rajasree

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the further proceedings in Spl.C.C.No.34 of 2021 pending on the file of the Special Court for Exclusive Trial of cases under POCSO Act, Coimbatore in the event of compromise.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondents

For R1 : Mr.R.Vinothraja
Government Advocate (Crl. Side)



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ORDER

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This petition has been filed to quash the proceedings in Special S.C.No.34 of 2021 pending on the file of the learned Special Judge, Special Court for Exclusive Trial of cases under POCSO Act, Coimbatore, as against the petitioner, thereby taken cognizance for the offences under Section 506(1) of IPC and Sections 5(l), 5(j)(ii), 5(n) & 6 of the Protection of Child from Sexual Offences Act, 2012.

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

3. A Compromise Memo has been filed before this Court, which has been signed by the petitioner and the defacto complainant and also by their respective counsel. 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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4. It is seen that now the victim girl viz., the second respondent attains majority and she married the petitioner/accused. Their marriage also got registered before the authority concerned. 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in Special S.C.No.34 of 2021 pending trial on the file of the learned Special Judge, Special Court for Exclusive Trial of cases under POCSO Act, Coimbatore.

6. In view of the above, the proceedings in Special S.C.No.34 of 2021 on the file of the learned Special Judge, Special Court for Exclusive Trial of cases under POCSO Act, Coimbatore, is hereby quashed as against the petitioners. The Compromise Memo shall form part and parcel of this Order.

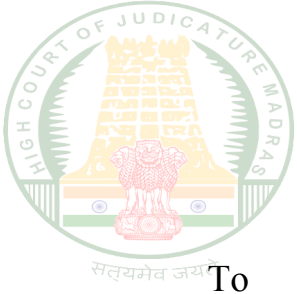


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WEB COPY 7. Accordingly, the Criminal Original Petition stands allowed.

21.03.2025

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



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To
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1. The Special Judge,
Special Court for Exclusive
Trial of cases under POCSO Act,
Coimbatore.

2.The Inspector of Police,
All Women Police Station East,
Coimbatore City,
Coimbatore District.

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



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G.K.ILANTHIRAIYAN, J.

rts

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