



Crl.O.P.No.8473 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2025

CORAM:

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

Crl.O.P.No.8473 of 2025

1. Megavarnan
2. Saravanan

... Petitioners

Vs.

1. The State Rep by
The Inspector of Police,
Teynampet All Women Police Station,
Chennai District.
Crime No.11 of 2022.

2. Subramani

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the charge sheet in Spl.S.C.No.40 of 2023 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act (Sessions Judge), Chennai, quash the same.

For Petitioners : Mr.G.Mageshkumar

For Respondents

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to quash the Spl.S.C.No.40 of 2023 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act (Sessions Judge), Chennai, thereby taken cognizance for the offences under Sections 294(b), 506(1) of IPC and Section 12 of Protection of Children from Sexual Offences Act.

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

3. A Memo of Compromise 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.



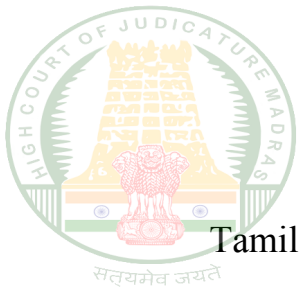
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4. It is seen that the first petitioner along with his friend viz., the second petitioner visited the house of the victim girl and gave love torture to her. Now the first petitioner parted his way from the victim girl and therefore the petitioners 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 Spl.S.C.No.40 of 2023 pending trial on the file of the Special Court for Exclusive Trial of Cases under POCSO Act (Sessions Judge), Chennai,

6. In view of the above, the proceedings in Spl.S.C.No.40 of 2023 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act (Sessions Judge), Chennai, is hereby quashed. The terms of Memo of Compromise shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.10,000/-, (Rupees Ten Thousand only) jointly as costs, to the Chief Justice Relief Fund, Madras High Court,



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Tamil Nadu, forthwith and file a photocopy of the receipt along with a
memo reporting compliance in the Registry.

7. Accordingly, the Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petition is closed.

08.04.2025

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

rts



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1. The Sessions Judge
Special Court for Exclusive Trial
of Cases under POCSO Act
Chennai.

2. The Inspector of Police,
Teynampet All Women Police Station,
Chennai District.

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



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G.K.ILANTHIRAIYAN, J.

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