



CrI.O.P.No. 6843 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

CORAM:

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

CrI.O.P.No.6843 of 2025

Sundarraaj

... Petitioner

Vs.

1. The State by
The Inspector of Police,
All Women Police Station,
Cuddalore.
Crime No.5 of 2021.

2. Inbasri

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the proceedings/charge sheet in Special S.C.No.33 of 2022 for the offences U/s.5(l), 5(j)(ii), 6 of POCSO Act, and u/s.354 D of IPC pending on the file of the Special Court for Exclusive Trial of Cases under POCSO Act at Cuddalore.

For Petitioner : Mr.D.Ashokkumar

For Respondents

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



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ORDER

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This Criminal Original Petition has been filed to quash the Special S.C.No.33 of 2022 on the file of the learned Special Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Cuddalore, thereby taken cognizance for the offences under Sections 5(l), 5(j)(ii), 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 354 D of IPC.

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 and gave birth to two children. Their marriage also got registered before the authority concerned. Now both are living happily and therefore, the petitioner 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.33 of 2022 pending trial on the file of the learned Special Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Cuddalore.

6. In view of the above, the proceedings in Special S.C.No.33 of 2022 on the file of the learned Special Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Cuddalore, is hereby



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quashed. The terms of Compromise Memo shall form part and parcel of

WEB COM this Order.

7. Accordingly, the Criminal Original Petition stands allowed.

14.03.2025

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,
Cuddalore

2.The Inspector of Police,
All Women Police Station,
Cuddalore.

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



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G.K.ILANTHIRAIYAN, J.

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