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CrI.O.P.No.7655 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.7655 of 2023

M.Vignesh

... Petitioner

Vs

1. State by:

Inspector of Police,
W-1, Thousand Lights Police Station,
AWPS, Chennai – 600012.
[Crime No. 27 of 2020]

2. S.Nithya

3. V.Sophika

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records, connected with the case in S.C.No.46 of 2023 on the file of the Mahila Court Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Allikulam and Quash the same.

For Petitioner : Mr.T.Shanmuga Boopathi

For Respondent : Mr.R.Vinothraja
Government Advocate (CrI. Side) (for R1)



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ORDER

This petition has been filed to quash the proceedings in S.C.No.46 of 2023 on the file of the Mahila Court Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Allikulam, as against the petitioner, thereby taken cognizance for the offences under Sections Girl Missing @ 6 of POCSO Act @ 366 & 344 of IPC and 6 of POCSO Act, 2012.

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

3. A Joint Memo of Compromise has been filed by the petitioner and third respondent before this Court stating that now she married 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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4. It is seen that now the victim girl viz., the third respondent attains majority and she married the petitioner/accused and gave birth to a child. 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 482 of Cr.P.C., quashes the proceeding in S.C.No.46 of 2023 pending trial on the file of the learned Mahila Court Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Allikulam.

6. In view of the above, the proceeding in S.C.No.46 of 2023 on the file of the learned Mahila Court Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Allikulam, is hereby quashed as against the



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petitioner. The Joint Memo of Compromise filed by the the petitioner and the third respondent shall form part and parcel of this order.

7. Accordingly, the Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petitions are closed.

27.03.2025

Index:Yes/No
Neutral Citation/Yes/No
kv

To

1. The Inspector of Police,
W-1, Thousand Lights Police Station,
AWPS, Chennai – 600012.
2. The Mahila Court Judge,
Special Court for Exclusive Trial of Cases under POCSO Act
at Allikulam,
Chennai.
3. The Public Prosecutor,
High Court of Madras.

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G.K.ILANTHIRAIYAN, J.

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