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CrI.O.P.No. 7412 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2025

CORAM:

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

CrI.O.P.No.7412 of 2025

V.Balasubramanian

... Petitioner

Vs.

1.State,
Inspector of Police,
W-26, AWPS-Ashok Nagar,
Chennai.
(Ref.Crime No.11 of 2022 dated 05.09.2022)

2.Sujatha

3.XXXX

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records on the file of Special Court for exclusive trial of POCSO cases, Chennai bearing Spl.S.C.No.274 of 2022.

For Petitioner : Mr.A.Ramesh,
Senior Counsel for
Mr.R.Ashwin

For R1 : M/s.J.R.Archana,



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For R2

Government Advocate (crl.side)
: Mr.T.Balaji

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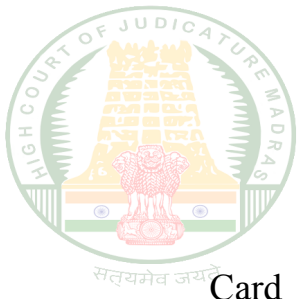


ORDER

This petition has been filed to quash the proceedings in Spl.S.C.No.274 of 2022 pending on the file of the Special Court for exclusive trial of POCSO cases, Chennai, as against the petitioner, thereby taken cognizance for the offences under Sections 12, 9(f), 10 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 Compromise Memo has been filed before this Court by the petitioner, the second respondent and the third respondent (victim girl) stating that the victim in view of her desire to pursue her career, no longer wishes to proceed with the matter. 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



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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.

4. 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.274 of 2022 pending trial of the Special Court for exclusive trial of POCSO cases, Chennai.

5. In view of the above, the proceedings in Spl.S.C.No.274 of 2022 on the file of the learned Special Court for exclusive trial of POCSO cases, Chennai is hereby quashed as against the petitioner. The Joint Compromise Memo filed by the petitioner, the second respondent and the third respondent shall form part and parcel of this Order. The



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petitioner shall pay a sum of Rs.10,000/-, (Rupees Ten Thousand only) each as costs, to the Chief Justice Relief Fund, Tamil Nadu, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6. Accordingly, the Criminal Original Petition stands allowed.

13.03.2025

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



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To

1. Special Court for exclusive trial of POCSO cases, Chennai.
2. Inspector of Police,
W-26, AWPS-Ashok Nagar,
Chennai.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

shk

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