



Crl.O.P.No.12851 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2025

CORAM:

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

Crl.O.P.No.12851 of 2025

Aravindakrishnan

..... Petitioner

Vs

1.State Rep.by
The Inspector of Police,
W-34, Ennore All Women Police Station,
Chennai.

2.A.Amir

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to Spl.S.C.No.290 of 2023 and pending trial on the file Hon'ble Special Court for Trial Cases under POCSO Act, Tiruvallur for an offences under Section 366 of IPC, Section 9 of the Prohibition of Child Marriage Act, 2006 and Section 5(1), 5(j)(ii) r/w 6 of POCSO Act and quash the same.

For Petitioner : Mr.K.M.Mrithunjayan

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



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ORDER

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This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.290 of 2023 pending on the file of the Special Court for Trial Cases under POCSO Act, Tiruvallur, thereby taken cognizance for the offences under Sections 366 of IPC, Section 9 of the Prohibition of Child Marriage Act, 2006 and Section 5(1), 5(j)(ii) r/w 6 of POCSO Act.

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 before this Court, which has been signed by the petitioner and the second respondent. All the parties are present and identified by 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.

4. It is seen that the victim, viz., the third respondent, has now attained majority and they are living together happily.

5. Under such circumstances, no useful purpose will be



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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.290 of 2023, pending trial on the file of the Special Court for Trial Cases under POCSO Act, Tiruvallur.

6. In view of the above, the proceedings in Spl.S.C.No.290 of 2023 pending on the file of the Special Court for Trial Cases under POCSO Act, Tiruvallur , is hereby quashed. The terms of Joint Memo of Compromise shall form part and parcel of this Order.

7. Accordingly, this Criminal Original Petition stands allowed.

25.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

- 1.The Special Court for Trial Cases under POCSO Act, Tiruvallur
2. The Inspector of Police,
W-34, Ennore All Women Police Station,
Chennai.
3. The Public Prosecutor,
Madras High Court,
Chennai.

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