

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.1620 & 1621 OF 2016

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CRIMINAL PETITION No.1713 OF 2016

ORDER:

The above Criminal Petition is filed by the petitioners-accused Nos.1 to 5 under Section 482 Cr.P.C., seeking to quash the proceedings against them in S.C.No.78 of 2015 on the file of the Special Judge for Protection of Children from Sexual Offences Act, 2012-cum-III Additional District & Sessions Judge, Vijayawada.

The petitioners are alleged to have committed the offences punishable under Sections 354-A, 509, 506 r/w 34 IPC and Section 12 r/w 11 (i)(iv) of the Protection of Children from Sexual Offences Act, 2012.

When this matter has been taken up, the petitioners and the 2nd respondent-complainant, who appeared before this Court, submitted through their Counsel that due to intervention of elders, the parties entered into compromise and therefore, the proceedings in the above Sessions Case may be quashed. A joint memo was also filed by both the parties.

In view of the compromise arrived at between the parties, the continuation of the proceedings against the petitioners-accused Nos.1 to 5 would be the exercise in futility. In a case of this nature, the Courts would be justified in invoking its inherent jurisdiction, and the technicalities should not be allowed to stand in the way of Courts' power to quash the criminal proceedings.

In the above circumstances and in view of the compromise, this Court feels that it is just and proper to quash the proceedings against the petitioners herein. Hence, the above Crl.M.Ps are ordered, and the proceedings against the petitioners-A1 to A5 in S.C.No.78 of 2015 on the file of the Court of Special Judge for Protection of Children from Sexual Offences Act, 2012-cum-III Additional District & Sessions Judge, Vijayawada, are quashed.

Accordingly, the above Crl.M.Ps are ordered and the Criminal Petition is allowed. Consequently, miscellaneous petitions pending, if any,

shall stand closed.

Date : 15.02.2016
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JUSTICE RAJA ELANGO

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Dated 15th February, 2016.

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