

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CrI.O.P.No.30002 of 2019

Immanuel

...Petitioner

Vs.

1. The Inspector of Police,
W-18, All Women Police Station,
M.K.B.Nagar, Chennai.

2. Elisabeth

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in S.C.No.214 of 2019 on the file of the Mahila Court, Chennai and quash the same.

For Petitioner : Mr.B.Thiyagarajan

For Respondents: Mrs.V.Saratha Devi

Government Advocate (Criminal Side)
for R1

ORDER

This Criminal Original Petition is filed to call for the records in S.C.No.214 of 2019 on the file of the Mahila Court, Chennai and quash the same.

2. The only offence, for which the petitioner has been implicated, is the POCSO Act. The abuse is verbal in nature and the victim girl was 14 years at the time of the occurrence and she is not stated to be 19 years of age. At this stage, the victim girl has come forward with a Joint Compromise Memo dated 11.11.2019, stating that they do not intend to proceed with the criminal case against the accused and therefore, seeks to quash the proceedings. Though this Court will not normally encourage the quashing of proceedings for the offence under POCSO Act, on the basis of joint compromise memo, in the pecuniary circumstances of the case, that the abuse was only verbal and that the victim girl herself has compromised the issue with the accused, this Court is inclined to take a lenient view and not interfere with the criminal proceedings.

3. Both the de-facto complainant and the petitioner are present before this Court today. In order to identify the respective parties, they have also submitted the photo copies of their Aadhar Cards and the same has been made part of the record.

4. Recording the statements made in the Joint Compromise Memo dated 11.11.2019., the proceedings in S.C.No.214 of 2019, pending on the file of the Mahila Court, Chennai, is quashed.

5. The Criminal Original Petition stands allowed accordingly.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Judge,
Mahila Court,
Chennai.

2. The Inspector of Police,
W-18, All Women Police Station,
M.K.B.Nagar, Chennai.

3. The Public Prosecutor,
High Court of Madras.

+1 cc to M/s.B.Thiyagarajan, Advocate Sr.No. 94259

AKM/04.12.19/2P-5C /

Cr1.O.P.No.30002 of 2019

सत्यमेव जयते

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