



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2019

CORAM:

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

Crl.O.P. (MD) .No.14238 of 2019

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V. Selvakumar ... petitioner/Sole accused

Vs.

1.State rep. by its,
the Inspector of Police,
All Women Police Station,
Vilathikulam,
Thoothukudi District.
(Crime No. 5 of 2018) ... 1st respondent/Complainant

2. Kanagalakshmi ... 2nd respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the Spl. S.C. No.82 of 2018 in Crime No.5 of 2018 on the file of the Mahila Court, Thoothukudi and quash the same.

For petitioner : Mr.M. Prabu

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

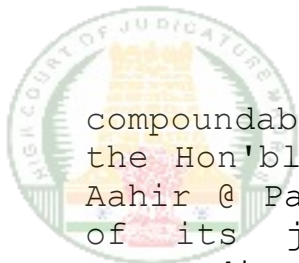
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl. S.C. No.82 of 2018 in Crime No.5 of 2018 on the file of the Mahila Court, Thoothukudi for an alleged offences under Sections 363 of IPC and Section 5(i) (ii), 5(1) and 6 of POCSO Act.

2.The case is under trial. By passage of time, 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 and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by M/s. Angalaeswari, S.I of Police. 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 case, 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 Cr.P.C. quashes the proceedings in Spl. S.C.No. 82 of 2018.

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5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl. S.C.No. 82 of 2018 on the file of the learned Mahila Court, Thoothukudi, is quashed and the terms of joint compromise memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5000/- (Rupees Five Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo

ksa

To

1. The Mahila Court Judge,
Thoothukudi.

2. Inspector of Police,
All Women Police Station,
Vilathikulam,
Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

Copy to
The Section Officer,
Accounts Section
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.M.PRABU, Advocate (SR-91740[F] dated 14/10/2019)
Crl.O.P. (MD) .No.14238 of 2019
14.10.2019

KM/(24.10.2019) 2P 6C