



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.16267 of 2019

Thangavel ... Petitioner/Sole accused

Vs.

1. State represented by the
Inspector of Police,
Kazhukumalai Police Station
Kazhukumalai,
Tuticorin District.
(Crime No.63 of 2016) ... Respondent/Complainant

2. R. Venkatraman

3. Parvathi ... Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet in Special S.C. No.1 of 2017 on the file of the Mahila Court, Tuticorin against Crime No.63 of 2016 on the file of the first respondent police and quash the same.

For Petitioner : Mr.V. Selva

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

For R-2 & R-3 : Mr. S. Paulmurugesh

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in Special S.C. No.1 of 2017 on the file of the Mahila Court, Tuticorin for an alleged offences under Sections 5(1) and 6 of POCSO Act and 366 of IPC.

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 <https://hcservices.ecourts.gov.in/hcservices/> signed by the petitioner and the respondents-2 & 3



and also by their respective counsel. The petitioner and the respondents-2 & 3 were also present in person before this Court and they were identified by Mr. Murugesan, Spl. SI of Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

WEB COPY

4. Under such circumstances, no useful purpose will be served in keeping the case 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 482 Cr.P.C. quashes the proceedings in Special S.C. No.1 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Special S.C. No.1 of 2017 on the file of the Mahila Court, Tuticorin, 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

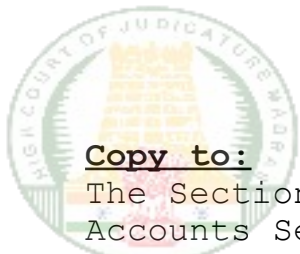
// True Copy //

Sub Assistant Registrar(CS)

ksa

To

1. The Judge, Mahila Court,
Tuticorin.
2. The Inspector of Police,
Kazhukumalai Police Station
Kazhukumalai,
Tuticorin 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.

WEB COPY

+1 CC to M/s.V.SELVA, Advocate (SR-96864[F] dated 08/11/2019)

Crl.O.P. (MD) .No.16267 of 2019
07.11.2019

JMN(08.11.2019) 3P : 6C