



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

CORAM:

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

Crl.O.P. (MD) .No.17829 of 2019

WEB COPY

Hariharan

... Petitioner/Sole accused

Vs.

1.The State rep. by
The Inspector of Police,
All Women Police Station,
Thanjavur, Thanjavur District.
(Crime No. 2 of 2019)

2. Karthika

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet in S.S.C. No. 19 of 2019 on the file of the Mahila Court (Fast Track), Thanjavur, Thanjavur District and quash the same.

For Petitioner : Mr.D.Suresh Kannan

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

For R-2 : M/s.Banuprasath,

ORDER

The Criminal Original Petition has been filed to quash the proceedings in the charge sheet in S.S.C. No. 19 of 2019 on the file of the Mahila Court (Fast Track), Thanjavur, Thanjavur District, for an alleged offences under Sections 5(1)(i)(ii) r/w 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 have 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. Umadevi, H.C-166. 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.S.C. No. 19 of 2019.

5. It is represented by the learned counsel for the petitioner that the petitioner already paid 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) on 28.11.2019 and filed the original receipt along with the memo. The said submission is placed on record. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.S.C. No. 9 of 2019 on the file of the Mahila Court (Fast Track), Thanjavur, Thanjavur District is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS-III)

Encl: Xerox copy of Joint Compromise Memo

To

1. The Mahila Judge,
Mahila Court (Fast Track), Thanjavur, Thanjavur District.
2. The Inspector of Police,
All Women Police Station, Thanjavur, Thanjavur 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.
(For Information) (Cost Paid)

+1CC to M/s.C.SURESH KANNAN, Advocate(SR-102286[F] dated 28/11/2019)

Crl.O.P. (MD) .No.17829 of 2019
28.11.2019

KSA

KK/SAR 3/29.11.2019/2P/6C

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