

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2877 of 2020

Arul @ Arulkumar

..Petitioner

/versus/

1.The State Rep.by Inspector of Police,
Thalaivasal Police Station,
Salem District.

2.Balaji

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pending on the file of the learned Special Court for Exclusive Trial of Cases POCSO Act, Salem, Salem District in Spl.S.C.No.286 of 2019 and quash the Criminal Proceedings.

For Petitioner : Mr.E.Kannadasan

For Respondents

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R2 : Mr.D.Dayalan

ORDER

This Criminal Original Petition has been filed to call for the records pending on the file of the learned Special Court for Exclusive Trial of Cases POCSO Act, Salem, Salem District in Spl.S.C.No.286 of 2019 and quash same.

2. The case is still in the stage of investigation. 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. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties,

they have also produced the copies of the Aadhaar Card are made part of the record. 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 First Information Report 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 Gujrat), this Court in exercising of its jurisdiction under Section 482 Cr.P.C. quashes the criminal proceedings in Spl.S.C.No.286 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.286 of 2019 on the file of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Salem Salem District, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order.

*Xerox copy of Memo of Compromise dated 08.01.2020 enclosed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ari

To

1.The Special Court for Exclusive Trial of Cases POCSO Act,
Salem, Salem District.

2.The Inspector of Police,Thalaivasal Police Station,
Salem District.

3.The Public Prosecutor, High Court, Madras.

+1cc to Mr.E.Kannadasan, Advocate, S.R.No.20321

Cr1.O.P No.2877 of 2020

SS (CO)
KKV/18/08/2020