



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2020

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

Crl.O.P (MD)No.13498 of 2020

WEB COPY

Kasimaharajan
Accused

: Petitioners/ Sole

Vs.

1.State represented by the
The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.
Crime No.3 of 2020.

: Respondent/ Complainant

2.Pavithra

: Respondent/Defacto
Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Spl.S.C.No.21 of 2020, pending on the file of the Special Court for Exclusive Trail of Cases under the POCSO Act, 2012, Sivagangai and quash the same as against the petitioner.

For Petitioner : Mr.P.Karthick

For Respondents : Mr.R.Srinivasan,
Government Advocate, for R1.

: Mr.M.Aarumugam, for R2.

O R D E R

Heard both sides.

2.This Criminal Original Petition has been filed to quash the Spl.S.C.No.21 of 2020, pending on the file of the Special Court for Exclusive Trail of Cases under the POCSO Act, 2012, Sivagangai.

3.The second respondent / defacto complainant, as well as the petitioner/accused are present before this Court through video conference and they are identified by the respective learned counsel and both the parties have filed joint compromise memo stating that the matters in issue between them has been amicably resolved and therefore, the second respondent / defacto complainant is not willing to prosecute the case and therefore would pray for quashing the Spl.S.C.No.21 of 2020.



4. The compromise memo is filed before this Court and the parties are also present personally along with their respective counsels and the learned Government Advocate would state that he has verified their identity. The relevant portion from the Joint Compromise Memo filed by the parties is extracted as under:

"4.It is submitted that at the intervention and mediation by the elders of the family, the families of the petitioner and Second Respondent were pacified and both the families have settled the issue amicably considering the future of 2nd respondent. Both the families have conducted the marriage of the defacto complainant and the Petitioner on 04.09.2020. Now the Petitioner and second respondent are living peacefully without any difference.

5.The Second respondent submits that she has no objection to quash the proceedings in Spl.S.C.No.21 of 2020 pending on the file of the learned Special Court for exclusive trial of case under POCSO Act, 2012, Sivagangai."

5. In the result, by recording the compromise, this Criminal Original Petition is allowed and the proceedings in Spl.S.C.No.21 of 2020, pending on the file of the Special Court for Exclusive Trail of Cases under the POCSO Act, 2012, Sivagangai, is quashed.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

das

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To: -

1. The Special Court for Exclusive Trial
of Cases under the POCSO Act 2012,
Sivagangai.

2. The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.

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

+1 CC to M/s.P. KARTHICK, Advocate (SR-23088[F] dated 27/11/2020)

Crl.O.P(MD)No.13498 of 2020
27.11.2020

ARK(CO)
TR(07.12.2020) 3P 5C