

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.5941 OF 2021

AND

CRL.MP.NO.3633 OF 2021

Pharath Chandran

.. Petitioner

Vs.

1. The Inspector of police,
All women Police Station,
St.Thomas mount.

2. Anthoniyammal

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the proceedings in SPL CC No.16 of 2020 on the file of Special Court Exclusively Trial for POCSO Act cases, Chengalpattu and quash the same.

For Petitioner : Mr.T.Vijayaraghavan

For Respondent-1 : Mr.M.Mohamed Riyaz

Additional public prosecutor

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the proceedings in SPL CC No.16 of 2020 on the file of Special Court Exclusively Trial for POCSO Act cases, Chengalpattu and quash the same.

2. The case is still at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves.

3. The joint memo of compromise dated 01.04.2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the 2nd respondent were also present through Video conferencing and they were identified by Mrs.V.Nithyaaranjaani, the Sub- Inspector of police, All women Police Station, St.Thomas mount. In the Memo, it has been stated that the petitioner and the 2nd respondent have entered into a

compromise and amicably settled their issues in SPL CC No.16 of 2020. 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 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), and after exercising due caution as advised by the Hon'ble Supreme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in SPL CC No.16 of 2020 on the file of Special Court Exclusively Trial for POCSO Act cases, Chengalpattu.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in SPL CC No.16 of 2020 on the file of Special Court Exclusively Trial for POCSO Act cases, Chengalpattu, is quashed and the terms of Memo shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

* Xerox copy of Memo of Compromise enclosed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of police,
All women Police Station, St.Thomas mount.
2. The Special Judge,
The Special Court Exclusively Trial for POCSO Act cases,
Chengalpattu
3. The Public Prosecutor, High Court, Madras.

+lcc to Mr.T.Vijayaraghavan, Advocate, S.R.No.21498

Cr1.O.P.No.5941 of 2021

BR(CO)
CS/12/07/2021