



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.17793 of 2021

WEB COPY

Kasi ... Petitioner / Accused
vs.

1.State rep. by
The Sub Inspector of Police,
Pasuvanthanai Police Station,
Thoothukudi District.
(Crime No.65/2018) ... 1st Respondent/Complainant

2.xxxx ... 2nd Respondent/defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the impugned charge sheet in Spl.S.C.No.3 of 2020 on the file of the Special Court for POCSO, Thoothukudi and quash the same.

For Petitioners : Mr.S.Vishnuvardhan

For R1 : Mr.M.Sakthikumar
Government Advocate

For R2 : Mr.V.Shathurthi Raja

O R D E R

This Criminal Original Petition has been filed for quashing the proceedings in Spl.S.C.No.3 of 2020 on the file of the Special Court for POCSO, Thoothukudi.

2. The defacto complainant is present in person before this Court. The victim girl is also present. They have been identified by Thiru.G.Karuppasamy GrI 849 attached to Pasuvanthanai Police Station, Thoothukudi District. It is seen that the petitioner and the victim girl got married to each other and they have also been blessed with a male baby namely Kasi Krish. The birth certificate has also been enclosed in the typed set of papers. The name of the victim as well as the petitioner have been shown in the said birth certificate. The parties are happily living together. If the proceedings are allowed to go on or the proceedings are certainly taken to its logical conclusion, the victim is not likely to support the prosecution case. The chance of conviction is also bleak. No purpose will be served in keeping the impugned proceedings alive.



The parties have also filed a joint compromise memo dated 17.11.2021. The impugned proceedings are quashed.

3. The Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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 POCSO, Thoothukudi
- 2.The Sub Inspector of Police,
Pasuvanthanai Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.17793 of 2021
19.11.2021

KMV(CO)

TR(10.12.2021) 2P 4C