



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Cr1.OP(MD)No.15908 of 2020

P.Praveen Kumar

... Petitioner/Sole Accused

vs.

1.The Inspector of Police,
All Woman Police Station,
Kadambur, Thoothukudi District.
(Crime No.4/2020)

...1st Respondent/Complainant

2.Tamil Selvi

...2nd Respondent/Defacto
Complainant

3.Minor T.Sobana (F/16/20)
(Tamilselvi 2nd respondent
is the natural guardian)

...3rd Respondent/Victim

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to call for the records in Special SC.No.62 of 2020 on the file of the Special Court for Exclusive Trial of Cases under POCSO Court, Thoothukudi and quash the same on the basis of the Joint Compromise Memo dated 11.12.2020.

For Petitioner	:	Mr.E.K.John Victor Ellis
For Respondents	:	Mr.S.Chandrasekar, Additional Public Prosecutor for R1 Mr.Radhakrishnan for R2

O R D E R

The present petition has been filed under Section 482 of Criminal Procedure Code praying to call for the records in Special SC.No.62 of 2020 on the file of the Special Court for Exclusive Trial of Cases under POCSO Court, Thoothukudi and quash the same on the basis of the Joint Compromise Memo dated 11.12.2020.

2. A perusal of the records shows that a case was registered in Crime No.4 of 2020 for the offences punishable under Sections 5 (1), 5 (n) r/w 6 of POCSO Act, 2012 and that the final report was also filed before the Special Court for Exclusive Trial of Cases under POCSO Court, Thoothukudi in Special SC.No.62 of 2020.

3. In the present petition, the defacto complainant has contended that no such occurrence took place as mentioned in the complaint and that the respondents 2 and 3 have also "forgotten the incident". The police after conducting investigation has laid a charge sheet in Special SC.No.62 of 2020 on the file of the Special Court for Exclusive Trial of Cases under POCSO Court, Thoothukudi



under Sections 5 (1), 5 (n) r/w 6 of POCSO Act, 2012.

4. In the facts and circumstances, I do not see any reason to record any compromise between the parties. Accordingly, this petition is dismissed.

WEB COPY

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 POCSO Court,
Thoothukudi .
- 2.The Inspector of Police,
All Woman Police Station,
Kadambur, Thoothukudi District.
- 3.The Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:-The Honourable POCSO Committee,
High Court, Madras.

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