



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Crl.OP(MD)No.15623 of 2020

Sampathkumar

... Petitioner/Sole Accused

vs.

1.State of Tamil Nadu,  
The Inspector of Police,  
All Women Police Station,  
Jeeyapuram,  
Trichy District.  
(Crime No.8 of 2020)

... Respondent/Complainant

2.Parameshwari

... Respondent/Defacto Complainant

3.Kowsalya

... Respondent/Victim Girl

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Special S.C.No.36 of 2020 on the file of the Mahila Court, Tiruchirappalli and quash the same.

For Petitioner

: Mr.N.Anandakumar

For R1

: Mr.S.Chandrasekar

Additional Public Prosecutor

O R D E R

This petition has been filed seeking to quash the proceedings in Special S.C.No.36 of 2020 pending on the file of the Mahila Court, Tiruchirappalli, on the basis of a joint compromise memo filed by the petitioner, second and third respondents.

2. The contention of the learned counsel for the petitioner is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.8 of 2020 for the offences punishable under Section 450 of the Indian Penal Code and under Sections 5(1), 5(j)(ii) and 6 of the Protection of Children from Sexual Offences Act, 2012, against the petitioner.

3. The further contention of the learned counsel is that the petitioner and the third respondent / victim girl got married



on 13.05.2020 and the marriage was also registered in the Sub Registrar Office, Thuraiyur and they are also blessed with a female child. A joint memo of compromise was filed, which has been duly signed by the petitioner, second and third respondents and also by their respective counsels.

WEB COPY

4. Normally, this Court would not entertain a compromise, as far as the Protection of Children from Sexual Offences Act, 2012 is concerned. In the instant case, the accused and the victim married each other and they are also blessed with a female child. Therefore, no useful purpose would be served by proceeding with the case in Special S.C.No.36 of 2020 on the file of the Mahila Court, Tiruchirappalli.

5. The petitioner, second and third respondents appeared in person along with their respective counsels and also produced their Aadhar cards before this Court. They were also identified by the learned Additional Public Prosecutor and Mrs.S.Roja, Gr.II-WPC-1939, Jeeyapuram Police Station. Both the parties to compromise were enquired by me and they accepted the terms of compromise. Hence the Compromise Memo is recorded.

6. Considering the totality of the circumstances and also in view of the joint compromise memo, dated 14.12.2020, this Court is of the opinion that no useful purpose would be served by keeping the matter pending.

7. In the result, the Criminal Original Petition stands allowed and the entire proceedings in Special S.C.No.36 of 2020 on the file of the Mahila Court, Trichirappalli, is hereby quashed in respect of the petitioner/sole accused and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

*sjj*

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

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 Mahila Court, Tiruchirappalli.

2.The Inspector of Police,  
All Women Police Station,  
Jeeyapuram,  
Trichy District.

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

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mj (CO)  
TR(26.02.2021) 3P 4C