



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.1562 of 2021

WEB COPY

1.S.Sasi Kumar

2.Bala murugan

...Petitioners/Accused

Vs.

1.State: The Inspector of Police,

All Women Police Station,

Thiruchendur,

Tuticorin District.

Crime No.17 of 2019

... 1st Respondent / Complainant

2.M.Divya

... 2nd Respondents / Defacto complainant /Victim

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records in Spl S.C.No.29 of 2020 POCSO Court, Tuticorin quash the same.

For Petitioners : M/s.KA.Raamakrishnan

For R1 : Mr.K.Sanjai Gandhi

Government Advocate (Crl.Side)

For R2 : M/s.A.Banumathi

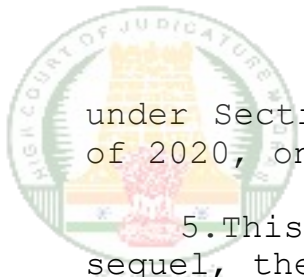
ORDER

The Criminal Original Petition has been filed to quash the charge sheet in Spl.S.C.No.29 of 2020, on the file of the POCSO Court, Tuticorin.

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

3.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel.

4.Under such circumstances, no useful purpose will be served in keeping the First Information Report pending before the respondent police. 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)**, this Court in exercise of its jurisdiction



under Section 482 Cr.P.C. quashes the Charge Sheet in Spl.S.C.No.29 of 2020, on the file of the POCSO Court, Tuticorin.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.29 of 2020, on the file of the POCSO Court, Tuticorin, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order. Each petitioners shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) as costs, to the District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, on or before **18.03.2022** and the receipt of payment shall be produced before the concerned Court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1. The Judge,
Special Court for exclusive trial of cases under Pocso Act,
Tuticorin.
2. The Inspector of Police,
All Women Police Station,
Thiruchendur,
Tuticorin District.
3. The District Medical Officer, CCRI, Periyakulam.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD) No.1562 of 2021

11.03.2022

smv (CO)

TR(14.03.2022) 2P 5C