



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.4469 of 2022

Kannan

...Petitioner/ Accused No.1

Vs.

1. The Inspector of Police,
Sattankulam Police Station,
Tuticorin District.
Crime No.58 of 2018.

2. Umamaheswari ... Respondents/ Defacto Complainant/
Victim

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C.to quash in SPL.SC No.89 of 2019 on the file of the POCSO Court, Tuticorin, Tuticorin District and quash the SPL.SC No.89 of 2019 on the file of the POCSO Court, Tuticorin, Tuticorin District.

For Petitioner : Mr.KA.Ramakrishnan

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal Side) for R1

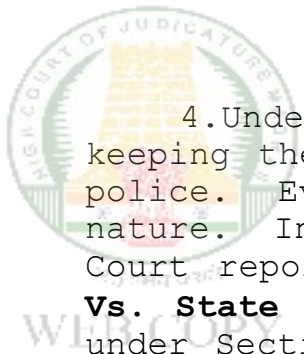
: Mr.S.Ramasamy for R2

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in SPL.SC No.89 of 2019 on the file of the POCSO Court, Tuticorin, Tuticorin District, for an alleged offences under Sections 11(1), 12 of POCSO Act.

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 petitioner 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in SPL.SC No.89 of 2019 on the file of the POCSO Court, Tuticorin, Tuticorin District.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in SPL.SC No.89 of 2019 on the file of the POCSO Court, Tuticorin, Tuticorin District, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/- (Rupees Five 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 22.03.2022 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

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/ /2022

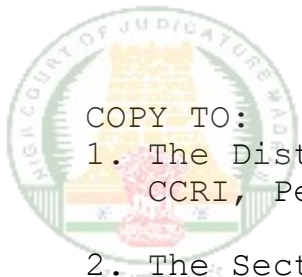
Sub Assistant Registrar

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.

ENCL:XEROX COPY OF COMPROMISE MEMO

To:

- 1.The POCSO Court, Tuticorin,
Tuticorin District.
2. State Inspector of Police,
Sattankulam Police Station,
Tuticorin District.
Crime No.58 of 2018.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



COPY TO:

1. The District Siddha Medical Officer,
CCRI, Periyakulam, Theni District.
2. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-12318[F] dated 15/03/2022)

ORDER IN
Crl.O.P. (MD)No.4469 of 2022
14.03.2022

PNM
MS/18.03.2022/3P.7C