



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.4506 of 2020

WEB COPY

1.Kannathasan  
2.R.Selvaraj  
3.S.Rathimalar  
4.Murugesu Pandiyan  
5.Kottai iyappan  
6.Arumugathammal ... Petitioners/Accused

Vs.

1. State: The Inspector of Police,  
All Women Police Station,  
Pudukottai,  
Tuticorin District.  
Crime No.13 of 2017. ... Respondent/Complainant

2. Esakkithai  
Women Rural Welfare Officer,  
Social Welfare Officer,  
Tuticorin District. ... Respondent/Defacto Complainant

3. D.Santhi ... 3<sup>rd</sup> Respondent/Victim

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to quash Spl.S.C.174 of 2019 on the file of the POCSO Court, Tuticorin.

For Petitioners : M/s.KA.Raamakrishnan  
For R1 : Mr.K.Sanjai Gandhi  
Government Advocate (Crl.Side)  
For R2 : Mr.A.Banumathy

**ORDER**

The Criminal Original Petition has been filed to quash the charge sheet in Spl.S.C.No.174 of 2019, 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 third 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.174 of 2019 , 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.174 of 2019, 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.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 **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 (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

lr

**Encl :** Joint Compromise Memo.

To

1. The Judge,  
POCSO Court, Tuticorin.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Inspector of Police,  
All Women Police Station,  
Pudukottai, Tuticorin District.

3. The Women Rural Welfare Officer,  
Social Welfare Officer,  
Tuticorin District

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

Copy to :

The District Siddha Medical Officer,  
CCRI, Periyakulam,  
Theni District.

Crl.O.P.(MD) No.4506 of 2020

11.03.2022

USK/14.03.2022/3P/6C