



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2022

CORAM:

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

Crl.O.P.(MD) No.7111 of 2022

and

Crl.M.P(MD) Nos.4876 and 4878 of 2022

Pon Stephen

...Petitioner/ Sole Accused

Vs.

The State rep. by
The Inspector of Police,
All Women Police Station,
Tirunelveli,
Tirunelveli District.
(Crime No.13/2018)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records and quash the proceedings in SPL.CC.No.126 of 2019 pending on the file of the Learned Special Court for the Exclusive Trial of POCSO Act Cases, Tirunelveli, Tirunelveli District.

For Petitioners : Mr.G.Thalaimutharasu

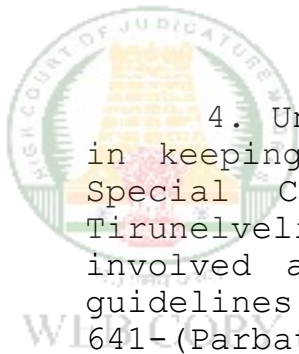
For Respondent : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in SPL.CC.No.126 of 2019 pending on the file of the Special Court for the Exclusive Trial of POCSO Act Cases, Tirunelveli, Tirunelveli District.

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 has been signed by the petitioner and the defacto complainant and also by their respective counsel. The parties were present before this Court and they were identified by their respective counsels.



4. Under such circumstances, no useful purpose will be served in keeping the SPL.CC.No.126 of 2019 pending on the file of the Special Court for the Exclusive Trial of POCSO Act Cases, Tirunelveli, Tirunelveli District, 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.CC.No.126 of 2019.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in SPL.CC.No.126 of 2019 pending on the file of the Special Court for the Exclusive Trial of POCSO Act Cases, Tirunelveli, Tirunelveli District, is quashed and the terms of Joint Memo of Compromise 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 **to the credit of Government of Tamil Nadu, CMPRF in IOB**, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) or before 28.04.2022 and produce the receipt before the concerned court, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

22/04/2022

Sub Assistant Registrar(CS)

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Enclosed herewith Copy of the Joint Compromise Memo

To

- 1.The Special Judge,
The Special Court for the
Exclusive Trial of POCSO Act Cases,
Tirunelveli, Tirunelveli District.
2. The Inspector of Police,
All Women Police Station,
Tirunelveli,
Tirunelveli District.
- 3.The Joint Secretary to Government,
Chief Minister Public relief fund,
Indian Overseas Bank,
Secretariat Branch, Chennai-9.



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

+1 CC to M/s.G. THALAIMUTHARASU, Advocate (SR-19607[F] dated
20/04/2022)

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CrI.O.P.(MD) No.7111 of 2022
19.04.2022

RD(22.04.2022) 3P 6C