



WEB COPY



Crl.O.P.No.9894 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.K.IYANTHIRAIYAN

Crl.O.P.No.9894 of 2023
and
Crl.M.P.Nos.6497 and 6499 of 2023

- 1.Dineshkumar
- 2.Uthirandam
- 3.Lakshmi
- 4.Dheenadayalan
- 5.Anjalatchi

...Petitioners

Vs.

- 1.The State represented by
The Inspector of Police,
Bahour Police Station,
Puducherry.

- 2.Mahalakshmi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. Praying to call for the records leading to the Spl.S.C.No.7 of 2023 pending on the file of Principal Sessions Judge Cum Special Judge (POCSO) at Puducherry and quash the same.

For Petitioner	: Mr.K.Kannadhasan for Mr.V.Moorthi
For R-1	: Mr.K.S.Mohandass Public Prosecutor (Pondicherry)
For R-2	: Mr.B.Sanjay Balachandar



Crl.O.P.No.9894 of 2023

ORDER

WEB COPY

This Criminal Original Petition is filed to call for the records leading to the Spl.S.C.No.7 of 2023 pending on the file of Principal Sessions Judge Cum Special Judge (POCSO) at Puducherry and quash the same.

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

3. An Affidavit has been filed by the 2nd respondent/defacto complainant before this Court which have been signed by the second respondent. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in



Crl.O.P.No.9894 of 2023

keeping Spl.S.C.No.7 of 2023 pending, 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 Spl.S.C.No.7 of 2023 pending on the file of Principal Sessions Judge Cum Special Judge (POCSO) at Puducherry.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.7 of 2023 pending on the file of Principal Sessions Judge Cum Special Judge (POCSO) at Puducherry is quashed and the terms of Affidavit filed by the 2nd respondent/defacto complainant dated 04.03.2023 shall form part and parcel of this Order. Consequently, the connected Miscellaneous Petitions are closed.

04.05.2023

gd
Internet :Yes
Index :Yes/No

G.K.IANTHIRAIYAN, J.



Crl.O.P.No.9894 of 2023

gd

WEB COPY

To:

- 1.The Spl.S.C.No.7 of 2023 pending on the file of Principal Sessions Judge
Cum Special Judge (POCSO) at Puducherry
- 2.The Inspector of Police,
Bahour Police Station,
Puducherry.
- 3.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.9894 of 2023

04.05.2023