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Crl.O.P.No.24621 of 2023
& Crl.M.P.No.17098 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30.10.2023

Coram:

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24621 of 2023
& Crl.M.P.No.17098 of 2023

1. Yuvaraj.
2. S.Jothimuthu.

... Petitioners/Accused Nos.1 & 2

/versus/

1. The State Rep. by,
The Inspector of Police,
All Women Police Station,
Poonamallee, Chennai.

... Respondent/Complainant.

2. Sivasankari.

... Respondent/Defacto complainant

Prayer: Criminal Original Petition has been filed under Section 482 of Cr.P.C.,
pleaded to call for records in Special S.C.No.94 of 2020 on the file of Sessions
Judge, POCSO Court, Chengalpet and quash the F.I.R against the
petitioner/accused.

For Petitioners : Ms.K.J.Atchaya

For R1 : Mr.S.Udaya Kumar, Govt Advocate (Crl.Side).



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ORDER

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This Criminal Original Petition is filed to quash the case in Special S.C.No.94 of 2020, on the file of Sessions Judge for POCSO Court, Chengalpet.

2. The Learned Counsel appearing for the petitioners/accused submitted that the parties wants to compromise the matter and therefore, case may be quashed.

3. The Learned Government Advocate (Crl.Side) appearing for the 1st respondent submitted that, already 9 witnesses were examined on the side of the prosecution but the petitioners have not even cross examined them.

4. Offence under POCSO Act, are very serious in nature and non-compoundable. Petition under Section 482 of Cr.P.C., to quash the case of serious nature based on alleged compromise is sheer abuse of process of law and misuse of power vested on the Court. If the petitioners are innocents, they can prove their innocence by facing trial.



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5. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected Miscellaneous Petition is closed.

30.10.2023

Index :Yes/No.

Internet :Yes/No.

Speaking Order/Non-Speaking Order
bsm

Copy to:-

1. The Learned Sessions Judge, POCSO Court, Chengalpet.
2. The Inspector of Police, All Women Police Station, Poonamallee, Chennai.
3. The Public Prosecutor, High Court, Madras.



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Dr.G.Jayachandran, J.

bsm

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