



Crl.O.P.(MD)No.9282 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.05.2023

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.(MD)No.9282 of 2023

1.Rajesh
2.Rajasingh
3.Kirupa
4.Hebzibai
5.Arumairaj

...Petitioners

Vs.

1.State rep by
The Inspector of Police,
All Women Police Station,
Valliyoor, Tirunelveli District.

2.Susilagunam

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the impugned charge sheet in Spl.C.C.No.50 of 2022 on the file of the Special Court for POCSO Act Cases at Tirunelveli and quash the same as illegal as far as the petitioner is concerned.

For Petitioners	: Mr.K.Sivablan
For R-1	: Mr.SS.Madhavan
	Government Advocate (Crl. Side)
For R2	: Mr.E.Balasubramanian



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ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.C.C.No.50 of 2022 on the file of the Special Court for POCSO Act Cases, Tirunelveli for the offence punishable under Sections 5(i), 5(j)(i), 6 and 17 of Protection of Child From Sexual Offences Act, 2012 and 9, 10 and 11 of the Prohibition of Child Marriage Act, 2006.

2.The case is still at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. It is also submitted that the defacto complainant does not want to proceed the case further. To that effect, a Joint Memo of Compromise signed by the petitioners and the second respondent and also by their respective counsel has also been filed before this Court and the same is recorded.

3.The petitioners and the second respondent were also present in person before this Court and they were identified by the concerned Police Official. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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4.Under such circumstances, no useful purpose will be served in keeping the proceedings 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 case in Spl.C.C.No.50 of 2022 pending on the file of the Special Court for POCSO Act Cases, Tirunelveli.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.C.C.No.50 of 2022 on the file of the Special Court for POCSO Act Cases, Tirunelveli, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

18.05.2023

Index: Yes/No
Internet: Yes/No
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T.V.THAMILSELVI, J.,

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To

- 1.The Special Court for POCSO Act Cases, Tirunelveli
- 2.The Inspector of Police,
All Women Police Station,
Valliyoar, Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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