



Crl.O.P.No.1955 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1955 of 2024

Mohamed Riyasudeen

... Petitioner

Vs.

1.State Rep. by
The Inspector of Police
All Women Police Station,
Sirkazhi,
Mayiladuthurai District.
(Cr.No.10/2023)

2.Mathumitha @ Risvana Farvin

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the entire records in Spl.S.C.No.98 of 2023 on the file of the learned Sessions Judge, Special Court under POCSO Act, Nagapattinam and quash the same on the ground of compromise.

For Petitioner : M/s.M.Vijaya Ragavan
For Respondents : Mr.A.Gopinath for R1
Government Advocate (Crl. Side)

O R D E R

The criminal original petition has been filed seeking to call for the



CrI.O.P.No.1955 of 2024

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records pertaining to the proceedings in Spl.S.C.No.98 of 2023, pending on the file of the learned Sessions Judge, Special Court under POCSO Act, Nagapattinam and quash the same.

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.

3.The victim girl was present before this Court. She stated that her date of birth is 09.12.1998. She further stated that she married the petitioner on 16.11.2023 and now she is in her family way. She further stated that she is now living happily with the petitioner and that both the families have agreed to the marriage. She requested this Court to close the criminal case.

4.The Joint Memo of Compromise dated 20.01.2024 has been filed before this Court which have been signed by the petitioner and the victim girl and also by the learned counsel for the petitioner. The petitioner and the second respondent were also present in person before this Court. In order to identify the respective parties they have



CrI.O.P.No.1955 of 2024

also produced the copies of the Aadhaar Card and they are made part of the record. In the joint compromise memo it has been stated that the petitioner and the victim girl had entered into a compromise and amicably settled their issues in Spl.S.C.No.98 of 2023. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5.Under such circumstances, no useful purpose will be served in keeping the case 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)**, and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Spl.S.C.No.98 of 2023 pending on the file of the learned Sessions Judge, Special Court under POCSO Act, Nagapattinam.

6.This criminal original petition stands allowed and as a sequel,



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CrI.O.P.No.1955 of 2024

N.ANAND VENKATESH,J.
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the proceedings in Spl.S.C.No.98 of 2023 on the file of the learned Sessions Judge, Special Court under POCSO Act, Nagapattinam, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

02.02.2024

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Note: Issue order copy on 05.02.2024.

Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The Sessions Judge, Special Court under POCSO Act,
Nagapattinam.
- 2.The Inspector of Police
All Women Police Station,
Sirkazhi,
Mayiladuthurai District.
(Cr.No.10/2023)
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

CrI.O.P.No.1955 of 2024

02.02.2024