



CrI.O.P.No.3017 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.3017 of 2024

R.Thamizhselvan
S/o.Rajan

... Petitioner

Vs.

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

2.Suhojini Harthi
D/o.Sugumar

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for records and quash the final report/charge sheet in Spl.S.C.No.254 of 2023 on the file of Fast Track Court exclusively to deal with the offences under the POCSO Act, Puducherry and accept the compromise memo.

For Petitioner : Mr.K.Sasindran

For Respondents : Mr.M.V.Ramachandra Murthy
Additional Public Prosecutor [Puducherry]
assisted by Mr.M.Thamizhmani [R1]



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.254 of 2023 on the file of Fast Track Court exclusively to deal with the offences under the POCSO Act, Puducherry.

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. A Joint Compromise Memo dated 06.01.2024 signed by both parties and their respective counsel and affidavit of second respondent have been filed before this Court. The petitioner and second respondent were also present in person before this Court. In the Joint Memo of Compromise and in the affidavit, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Spl.S.C.No.254 of 2023 on the file of Fast Track Court exclusively to deal with the offences under the POCSO Act, Puducherry. 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. The victim girl was present before this Court. She stated that her date of birth is 16.05.2005. She further stated that she married the petitioner and a girl child was born through the marriage and the child is named as Gopika, aged 3½ months. She stated that she is happily living with the petitioner and both the families agreed to their marriage. She further stated that she is not interested in prosecuting this case.

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 v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in Spl.S.C.No.254 of 2023 on the file of Fast Track Court exclusively to deal with the offences under the POCSO Act, Puducherry.



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N.ANAND VENKATESH, J.

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This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.254 of 2023 on the file of Fast Track Court exclusively to deal with the offences under the POCSO Act, Puducherry, is quashed and the terms of Joint Compromise Memo dated 06.01.2024 and the terms of affidavit shall form part and parcel of this order.

09.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

1.The Fast Track Court,
POCSO Act, Puducherry.

2.The Inspector of Police,
Bahour Police Station,
Puducherry.

3.The Public Prosecutor,
High Court, Madras.

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