



Crl.O.P.No.5605 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.5605 of 2024

and

Crl.M.P.No.4090 of 2024

Yuvaganesh @ Dinesh

.. Petitioner

Vs.

1.The Union Territory of Puducherry
Represented by The Inspector of Police,
Mudaliarpot Police Station,
Puducherry.
Crime No.71 of 2023

2.Vasantha

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records relating to Impugned quash the impugned Spl.S.C.No.242 of 2023 pending on the file of the Sessions Judge, Fast Track Court Exclusively to Deal With Offence under the POCSO Act, at Puducherry and quash the same.

For petitioner	:	Mr.A.Anantharaj
For R1	:	Mr.M.V.Ramachandraurthy
		Addl.Public Prosecutor (Pondy)
		Assisted by
		Mr.A.Alexander



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ORDER

The Criminal Original Petition has been filed to call for the records relating to the case in SPL.S.C.No.242 of 2023 pending on the file of the Sessions Judge, Fast Track Court Exclusively to Deal With Offence under the POCSO Act, at Puducherry 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 Joint Compromise Memo has been filed before this Court which has been signed by the petitioner, 2nd respondent and the learned counsel for the petitioner. The petitioner, the 2nd respondent, mother of the 2nd respondent and child of the 2nd respondent were also present in person before this Court and they were identified by Mr.V.Vijayalingam, Asst. Sub Inspector. In the Joint Compromise Memo it has been stated that the petitioner and the 2nd respondent have entered into a compromise and amicably settled their issues in SPL.S.C.No.242 of 2023. 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 and she stated that her date of birth is 09.06.2005. She further stated that she married the petitioner and through the marriage, there is a child named Yoshan aged 9 months. She came along with her mother, who is the defacto complainant in the case. The defacto complainant requested this Court to close the criminal case since both the families have now accepted the marriage and her daughter is living happily with the petitioner.

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 Suprme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Cr1 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in SPL.S.C.No.242 of 2023 pending on the file of the Sessions Judge, Fast Track Court Exclusively to Deal With Offence



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under the POCSO Act, at Puducherry.

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6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in SPL.S.C.No.242 of 2023 pending on the file of the Sessions Judge, Fast Track Court Exclusively to Deal With Offence under the POCSO Act, at Puducherry, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Consequently, the connected Miscellaneous Petition is closed.

08.03.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

- 1.Sessions Judge, Fast Track Court,
Exclusively to Deal With Offence under the POCSO Act,
Puducherry
- 2.The Union Territory of Puducherry
Represented by The Inspector of Police,
Mudaliarpet Police Station,
Puducherry.

N.ANAND VENKATESH, J.



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3.The Public Prosecutor,
Madras High Court, Chennai.

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