



Criminal Original Petition No.5338 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.5338 of 2024

and

CrI.M.P.No.3885 of 2024

Lakashmanan @ Sugumar
S/o.Thirisangu

...Petitioner

Vs

1.The Union Territory of Puducherry
represented by
The Inspector of Police,
Ariyankuppam Police Station,
Ariyankuppam, Puducherry.
Crime No.67 of 2018

2.Veeraian
S/o.Kalrayan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for records relating to



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Spl.S.C.No.43 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.E.Anabrasan

For Respondents : Mr.M.G.Ramachandramurthy

Additional Public Prosecutor [P] [R1]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.43 of 2023 pending on the file of Sessions Judge, Fast Track Court exclusively to deal with offence under the POCSO Act at 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.



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3. A Joint Compromise Memo signed by both parties and affidavit of petitioner and affidavit of second respondent have been filed before this Court. The petitioner and second respondent were also present in person before this Court and they were identified by Mr.P.Jaipremnath, SG HC 2678. 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.43 of 2023 pending on the file of Sessions Judge, Fast Track Court exclusively to deal with offence under the POCSO Act at Puducherry.

4. This Court also enquired both the parties. The victim girl was present before this Court along with her parents. She stated that her date of birth is 04.07.2000. She further stated that she married the petitioner and through the marriage, there are two children viz., Ubashana, aged 5½ years and Sai Rithvik, aged 1 year. She requested this Court to close the criminal case. The father of the victim girl, who is the *de facto* complainant, reiterated the same stand taken by the victim girl. The mother of the victim



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girl also concurred with that. Both of them in unison requested this Court to close the criminal 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in Spl.S.C.No.43 of 2023 pending on the file of Sessions Judge, Fast Track Court exclusively to deal with offence under the POCSO Act at Puducherry .

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.43 of 2023 pending on the file of Sessions Judge,



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Fast Track Court exclusively to deal with offence under the POCSO Act at Puducherry, is quashed and the terms of Joint Compromise Memo and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

07.03.2024

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

- 1.The Sessions Judge,
Fast Track Court exclusively to deal with offence
under the POCSO Act at Puducherry.
- 2.The Inspector of Police,
Ariyankuppam Police Station,
Ariyankuppam, Puducherry.
Crime No.67 of 2018
- 3.The Public Prosecutor,
Puducherry.



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N.ANAND VENKATESH, J
gm

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