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Crl.O.P No.27062 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.27062 of 2023
and Crl.MP.No.18788 of 2023

Ramesh

... Petitioner

.VS.

1.State rep.by
The Inspector of Police
Thirukkanur Police Station
Puducherry.
(Crime No.84 of 2022)

2. XXXX
Puducherry=-605501.

3. XXXX
Puducherry=-605501.

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Spl.SC.No.161 of 2023, pending on the file of the Hon'ble Special Judge under POCSO Act-2012 at Puducherry, quash the same.

For Petitioner : Mr.Swamisubramanian

For Respondents : Mr.K.S.Mohandoss
Public Prosecutor (Puducherry)
for R1



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.SC.No.161 of 2023, pending on the file of the Special Judge under POCSO Act-2012 at Puducherry.

2.The victim girl was present before this Court along with her mother Manoranjitham. She is stated that she married the petitioner and the same was registered before the marriage Registrar on 25.07.2023. The certificate was also placed before this Court. She further stated that she has a child through the petitioner named as Dharshvin and the birth certificate of the child was also produced before this Court.

3.The mother of the victim girl stated that her daughter is now living happily with the petitioner and requested this Court to close the criminal case.

4.The petitioner was also present with his mother Manoranjitham. The mother of the petitioner also stated that her son and the victim girl are now living happily with the child.

5. 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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6. Joint Compromise Memo dated 20.11.2023 signed by both the petitioner and respondents 2 and 3 and their respective counsel has been filed before this Court. The petitioner and the respondents 2 and 3 were appeared in person before this Court and they were identified by Mr.Punitharaja.E, Thirukkanur Police Station, Puducherry. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. In the Joint Compromise Memo, it has been stated that the petitioner and the respondents have entered into a compromise and amicably settled their issues in Spl.SC.No.161 of 2023, pending on the file of the Special Judge under POCSO Act-2012 at Puducherry.

7. 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, quash the proceedings in Spl.SC.No.161 of 2023, pending on the file of the Special Judge under POCSO Act-2012 at Puducherry.

N. ANAND VENKATESH., J

KP



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8.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.SC.No.161 of 2023, pending on the file of the Special Judge under POCSO Act-2012 at Puducherry, is quashed and the terms of Joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

02.01.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
KP

To

- 1.The Inspector of Police
Thirukkanur Police Station
Puducherry.
2. Special Judge under POCSO Act-2012
Puducherry.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.27062 of 2023