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Crl.O.P.(MD).No.5562

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.5562 of 2023

and

Crl.M.P.(MD).No.4858 of 2023

Vigneshkumar @ Vicky

...Petitioner

Vs.

1.The State represented by
the Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
(Crime No.1472 of 2020)

2.Chellammal

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to call for the records relating to the impugned charge sheet in Spl.S.C.No.3 of 2021 dated 31.01.2021 on the file of the Fast Track Mahila Court, Dindigul District and to quash the same.

For Petitioner

: Mr.T.R.Subramanian

For R-1

: Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side)

For R-2

: Mr.D.Dilipkumar



Crl.O.P.(MD).No.5562

ORDER

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This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.3 of 2021 dated 31.01.2021 on the file of the Fast Track Mahila Court, Dindigul District (Presently transferred to the file of the learned Sessions Judge, POCSO Court, Dindigul and renumbered as Spl.S.C.No.45 of 2023).

2. The case is still in 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 06.01.2005. she further stated that she has married the petitioner two years back and that she is now living happily with the petitioner. She requested this Court to close the criminal case against the petitioner. The mother of the victim girl was also present before this Court and she also confirmed the fact that the daughter has married the petitioner and she is living happily with the petitioner. She also requested before this Court to close this case.

4. Joint compromise memo dated 13.11.2024 has been filed before this Court which has been signed by the petitioner and the second respondent / de facto complainant and also by their respective counsel. The petitioner and the second



respondent / defacto complainant were also present in person before this Court and they were identified by Mr.A.Muthuchamy, Special Sub Inspector of police, Vadamadurai Police Station, Dindigul District. In the affidavit, it has been stated that the petitioner and the second respondent / defacto complainant have entered into a compromise and amicably settled their issues in Spl.S.C.No.45 of 2023 on the file of the learned Sessions Judge, POCSO Court, Dindigul.

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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., to quash the proceedings in Spl.S.C.No.45 of 2023 on the file of the learned Sessions Judge, POCSO Court, Dindigul.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.45 of 2023 on the file of the learned Sessions Judge, POCSO Court, Dindigul, is hereby quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

28.11.2024

Index : Yes / No
Internet : Yes / No
Speaking Order/Non Speaking Order
TSG



Cri.O.P.(MD).No.5562

To

1.The Fast Track Mahila Court, Dindigul.

2.The Sessions Judge, POCSO Court, Dindigul.

3.The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH, J.

TSG

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