



Cont.P(MD).No.20789 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2024

CORAM :

THE HON'BLE MR JUSTICE A.A.NAKKIRAN

CrI.O.P(MD).No.20789 of 2022

M.Karuppasamy

... Petitioner

Vs.

1.State rep. by
The Inspector of Police,
Courtrallam Police Station,
Tirunelveli District.
(Crime No.96 of 2019)

2.S.Gandhimathi

3.xxxxxx

... Respondents

PRAYER:- Petition filed under Section 482 Cr.P.C., to call for the records in Spl.S.C.No.256 of 2019 pending on the file of the Principal Special Court for Exclusive trial of case under POSCO Act, Tirunelveli and quash the same.

For Petitioner : Mr.K.Dinesh

For Respondent No.1 : Mr.R.M.Anbunithi

Additional Public Prosecutor

For respondent No.2 : Mr.J. Uthayakumar

ORDER

This Criminal Original Petition has been filed to call for the



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records in Spl.S.C.No.256 of 2019 pending on the file of the Principal Special Court for Exclusive trial of case under POSCO Act, Tirunelveli and quash the same.

2. The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.96 of 2019 for the offences punishable under Sections 366 IPC and Section 6 and 5(1) of Protection of Child From Sexual Offences Act, 2012, against the petitioner and the same was taken on file in SPL.C.C.No.256 of 2019 on the file of the Principal Special Court for Exclusive trial of case under POSCO Act, Tirunelveli.

3.The further contention of the petitioner is that they compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the 2nd respondent and also by their respective counsels.

4.The petitioner and the 2nd respondent appeared before this Court along with their counsels and they were also identified by the



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Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memo, dated 24.11.2022, this Court is inclined to quash all further proceedings in Spl.S.C.No.256 of 2019 pending on the file of the Principal Special Court for Exclusive trial of case under POSCO Act, Tirunelveli in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Spl.S.C.No.256 of 2019 pending on the file of the Principal Special Court for Exclusive trial of case under POSCO Act, Tirunelveli is hereby quashed in respect of the petitioner alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

26.04.2024

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
trp



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To

WEB COPY

1. The Principal Special Court for Exclusive trial of case under POSCO Act, Tirunelveli
2. The Inspector of Police,
Courtrallam Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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A.A.NAKKIRAN, J.

Trp

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