



Crl. O.P. No. 12269 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 23.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. O.P. No. 12269 of 2025

1. Kavibharathi
2. Sivaprakasam
3. Sumathi
4. Punitha
5. Manigandan
6. Annammal

... Petitioners

Vs

1. The State represented by,
The Inspector of Police,
AWPS - Tiruvannamalai,
Thiruvannamalai District.
(Crime No.24 of 2022)

2. Dharshini

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to call for the records in Spl.S.C.No.24 of 2023 on the file of the Sessions Court (Special Court for Exclusive Trial of Cases under POCSO Act), Tiruvannamalai and quash the charge sheet pending against the petitioners.

For Petitioners : Mr. S.Silambuselvan

For Respondents : Mr. A. Gopinath, for R1
Government Advocate (Criminal Side)



Crl. O.P. No. 12269 of 2025

ORDER

WEB COPY

This Criminal Original Petition has been filed to quash the Spl. S.C. No. 24 of 2023 on the file of the Sessions Court (Special Court for Exclusive Trial of Cases under POCSO Act), Tiruvannamalai, thereby taken cognizance for the offences under Sections 147, 323, 354(D), 506(2), 376(3), 354A(i), 506(1), 341 of IPC r/w 3(a) 4, 7, 8 of Protection of Child from Sexual Offences Act, 2012 r/w 4 of TNPHW Act, 2022.

2. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court, which has been signed by the petitioners and the defacto complainant and also by their respective counsel. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card and is made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



Crl. O.P. No. 12269 of 2025

WEB COPY

4. Under such circumstances, no useful purpose will be served in keeping the proceeding 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 528 of BNSS, 2023, quashes the proceeding in Spl. S.C. No. 24 of 2023 pending trial on the file of the Sessions Court (Special Court for Exclusive Trial of Cases under POCSO Act), Tiruvannamalai

5. In view of the above, the proceedings in Spl. S.C. No. 24 of 2023 on the file of the Sessions Court (Special Court for Exclusive Trial of Cases under POCSO Act), Tiruvannamalai, is hereby quashed as against the petitioners. The terms of Joint Memo of Compromise shall form part and parcel of this Order.

6. Accordingly, the Criminal Original Petition stands allowed.

23.04.2025

Index:Yes/No

Neutral Citation:Yes/No

AT



WEB COPY



Crl. O.P. No. 12269 of 2025

G.K.ILANTHIRAIYAN. J,

AT

To

1. The Sessions Court,
(Special court for Exclusive Trial of Cases under POCSO Act),
Tiruvannamalai.
2. The Inspector of Police,
AWPS - Tiruvannamalai,
Thiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.

Crl. O.P. No. 12269 of 2025

23.04.2025