



*Crl.O.P.No.10855 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.10855 of 2025

R.Karthick Babu

... Petitioner

Vs.

1. The Deputy Superintendent of Police,  
Periyanaickenpalayam Sub-Division,  
Coimbatore District,  
Crime No.16/2022

2. K.Rajalakshmi

... Respondents

**Prayer:** Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to Spl.S.C.No.32/2024 on the file of the Principal Special Court for POCSO Act Cases, Coimbatore and quash the same on compromise.

|                 |                                 |
|-----------------|---------------------------------|
| For Petitioner  | : Mr.J.Thomassaransingh         |
| For Respondents |                                 |
| For R1          | : Mr.A.Gopinath                 |
|                 | Government Advocate (Crl. Side) |



*Crl.O.P.No.10855 of 2025*

WEB COPY

### **ORDER**

This petition has been filed to quash the proceedings in Spl.S.C.No.32 of 2024 pending on the file of the learned Special Judge, Principal Special Court for POCSO Act Cases, Coimbatore, as against the petitioner, thereby taken cognizance for the offences under Sections 366, 344, 376(3) of IPC r/w. Section 5(l), 5(j)(ii), 6 of the Protection of Children from Sexual Offences Act, 2012 r/w Section 9 of Prohibition of Child Marriage Act and Sections 3(1)(w)(i), 3(2)(va) of SC/ST (Prevention of Atrocities) Act.

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

3. A Joint Compromise Memo has been filed before this Court, which has been signed by the petitioner, victim girl 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 are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an



Crl.O.P.No.10855 of 2025

amicable settlement between themselves.

WEB COPY

4. It is seen that now the victim girl viz., the second respondent attains majority and she married the petitioner/accused and gave birth to a female child. Now both are living happily and therefore, the petitioners need not go for ordeal of trial.

5. 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.32 of 2024 pending trial on the file of the learned Special Judge, Principal Special Court for POCSO Act Cases, Coimbatore.

6. In view of the above, the proceedings in Spl.S.C.No.32 of 2024 pending on the file of the learned Special Judge, Principal Special Court for POCSO Act Cases, Coimbatore, is hereby quashed as against the petitioners. The Joint Compromise Memo shall form part and parcel



*Crl.O.P.No.10855 of 2025*

of this Order.

WEB COPY

7. Accordingly, the Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petitions are closed.

16.04.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order

rts



*Crl.O.P.No.10855 of 2025*

To  
WEB COPY

1. The Special Judge,  
Principal Special Court for POCSO Act Cases,  
Coimbatore,
2. The Deputy Superintendent of Police,  
Periyanaickenpalayam Sub-Division,  
Coimbatore District.
3. The Public Prosecutor,  
Madras High Court,  
Chennai.



WEB COPY



*Crl.O.P.No.10855 of 2025*

**G.K.ILANTHIRAIYAN, J.**

rts

Crl.O.P.No.10855 of 2025

16.04.2025