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CRL A No. 863 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 863 of 2025

and

Crl.MP.No.19860 of 2025

S.Edwin

S/o.Sagadevan, No.490, Gandhi Main
Road, Saduperi, Vellore.

Appellant(s)

Vs

State by

The Inspector of Police,
All Women Police Station, Vellore,
Vellore District.
Crime No.15/2020

Respondent(s)

PRAYER: Criminal Appeal filed under Section 415(2) BNSS 2023, prays to set aside the Spl.S.C.No.107 of 2020 on the file of the Special Judge for Exclusive Trial of Cases under POCSO Act 2012, Vellore, Vellore District, dated 19.01.2024.

For Appellant(s): Mr.E.Kannadasan

For Respondent(s): Mr.V.Meganathan
Government Advocate (Crl.Side)

JUDGEMENT

The appellant has filed this appeal to set aside the Spl.S.C.No.107 of 2020 on the file of the Special Judge for Exclusive Trial of Cases under POCSO



Act 2012, Vellore, Vellore District.

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2. The appellant / accused along with his father appeared before the Court. The defacto complainant also appeared along with the victim girl. Since all parties reside in and around the same locality, besides families also known each other, the defacto complainant, considering the welfare of the victim girl and the minor child, expressed that she is not inclined to proceed further with the case and agreed to settle the matter with the appellant.

3. The father of the appellant, who is aged more than 60 years, also expressed his desire to settle the issue. He stated that the entire family has suffered due to the conduct of the petitioner, and being a retired LIC officer, he wishes to live peacefully in the remaining part of his life. Therefore, he has agreed to the terms of settlement.

4. At an earlier hearing, a sum of Rs. 1,00,000/- was paid. For a one-time settlement, the defacto complainant demanded a sum of Rs. 5,00,000/- for the welfare of the victim girl and the minor child. It is admitted that she has already received Rs.7,50,000/- as victim compensation, which she utilized for purchasing a vacant site for the welfare of the victim girl and the child. For further studies and other expenses, she sought a one-time settlement of Rs.5,00,000/-. Out of the said amount, a sum of Rs. 1,00,000/- had already been



paid earlier. Today, the remaining amount of Rs. 4,00,000/- has also been paid in cash before this Court. On receipt of the entire amount, the victim girl and the defacto complainant have made an endorsement in the Court bundle. Further, by way of a written letter, they have expressed that they are not inclined to proceed further with the case.

5. In view of the amicable settlement arrived at between the parties, and relying upon the principles laid down in *Gian Singh Vs. State of Punjab and another*, there is no necessity to keep the case pending.

“57. The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court. In what cases power to quash the criminal proceeding or complaint or F.I.R may be exercised where the offender and victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have serious impact on society. Similarly, any compromise between the victim and offender in relation to the offences under special statutes like Prevention of Corruption Act or the offences committed by public servants while working in that capacity etc; cannot provide for any



basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and pre-dominantly civil flavour stand on different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute.”

6. The full and final settlement is hereby recorded. Accordingly, the entire proceedings in Spl.S.C.No.107 of 2020 on the file of the Special Judge for Exclusive Trial of Cases under POCSO Act 2012, Vellore, Vellore District, dated 19.01.2024 are hereby ordered to be dropped, and the appellant/accused stands exonerated from all the charges. Consequently, the conviction, if any is set aside.

7. Therefore, liberty is granted to the appellant to approach the Authorities concerned, to restore his job where he was earlier employed, and to work out his remedies in the manner known to Law.

8. Accordingly, this Criminal Appeal is disposed of. Consequently, the connected miscellaneous petition is closed.

28-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1.State by

The Inspector of Police, All Women
Police Station, Vellore, Vellore District.
Crime No.15/2020.

2.The Special Judge for Exclusive Trial
of Cases under POCSO Act 2012,
Vellore, Vellore District.

3.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.
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