



WEB COPY



*CrI.O.P.No.17168 of 2023*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2026

CORAM:

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

CrI.O.P.No.17168 of 2023

and

CrI.MP.Nos.11050 & 11052 of 2023

K.Sekar @ Settiyannan

... Petitioner

Vs.

1.The State,  
Rep by the Inspector of Police,  
Thalaivasal Police Station,  
Salem District  
2.A.Sivakumar

... Respondents

**Prayer:**

Criminal Original petition filed under Section 482 of Cr.P.C.  
praying to call for the records pertaining to PRC.No.34 of 2023 pending  
on the file of the Judicial Magistrate Court No.II at Attur as far as the  
petitioner is concerned and quash the same as illegal, incompetent and  
unjust.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.A.Gopinath,  
Government Advocate(crl.side)



*Crl.O.P.No.17168 of 2023*

## **ORDER**

WEB COPY

This criminal original petition has been filed praying to quash the proceedings in PRC.No.34 of 2023 pending on the file of the Judicial Magistrate Court No.II at Attur as far as the petitioner is concerned

2. The case of the prosecution is that the petitioner owns a poultry farm and it was inspected on 15.07.2024 at about 2.00 p.m. by the second respondent and his team along with Child Protection Office Social Worker and Child Line team members. During their inspection, they found that two minor children aged about 17 years were engaged by the accused to work in the poultry farm. Therefore, it is a violation of provision under Section 14(1A) of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986. Opportunity was given to the accused to compound the offence as contemplated under Section 14D of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986. Accordingly, the accused received compounding notice and by an order dated 20.09.2022, direction was given to pay a sum of Rs.5,000/- for each discrepancy, totally Rs.25,000/- for five discrepancies as penalty. Accordingly, the accused paid the said sum and compounded the offence



*Crl.O.P.No.17168 of 2023*

under Section 14D of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 on 26.09.2022 itself. After period of two years once again the second respondent lodged complaint on 04.11.2022 for the very same set of allegations before the first respondent and the first respondent registered FIR in crime No.378 of 2022 for the offence punishable under Section 14(1A) of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986. Thereafter, charge sheet was filed for the offence under Section 14(1A) of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, Section 79 of Juvenile Justice (Care and Protection of Children) Act, 2015 and Section 370 of IPC. The same has been numbered as PRC.No.34 of 2023 on the file of the Judicial Magistrate Court No.II at Attur.

3. Heard, the learned counsel appearing on either and perused all the materials placed before this Court.

4. On perusal of records and also on the submissions of the learned counsel appearing on either side, it is revealed that once the accused agreed to compound the offence as contemplated under Section 14D of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, no prosecution shall be instituted in relation to such offence against

Page 3 of 6



*Crl.O.P.No.17168 of 2023*

the offender in relation to whom the offence is so compounded under Section 14D(3) of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986. It is relevant to extract the provision under Section 14D(3) of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 hereunder:

*(3) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded.*

5. Admittedly, the petitioner compounded the offence as contemplated under Section 14D of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 for five discrepancies by paying a sum of Rs.25,000/- as fine dated 26.09.2022. In fact, after receipt of the fine amount, the second respondent lodged complaint on 04.11.2022. The accused compounded the offence as contemplated under Section 14D of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 and even then, complaint was lodged. Once the discrepancies found under Section 14(1A) of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 were compounded, no prosecution can be initiated for the very same set of allegations. Therefore, the entire impugned proceedings is nothing but clear abuse of process of law and the same is liable to be quashed.



*Crl.O.P.No.17168 of 2023*

WEB COPY

6. Accordingly, this criminal original petition is allowed and the entire impugned proceedings is quashed. Consequently, connected miscellaneous petitions are closed.

29.04.2026

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

To

1.Judicial Magistrate Court No.II at Attur  
2.The State,  
Rep by the Inspector of Police,  
Thalaivasal Police Station,  
Salem District  
3.The Public Prosecutor,  
High Court of Madras



WEB COPY



*Crl.O.P.No.17168 of 2023*

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

lok

Crl.O.P.No.17168 of 2023

29.04.2026