



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15941 of 2026

Satheesh Kumar @ Appu

..Petitioner(s)

Vs

1.State rep.by its
Inspector of Police,
W-25, All Women Police Station,
T.Nagar, Chennai District.
Cr.No.01/2023.

2.Punniya devi

3.Xxxx

..Respondent(s)

To call for records relating to the Spl.SC.No.103 of 2023 on the file of the learned Sessions Judge, Special court for Exclusive trial of cases under POCSO Act, Chennai and quash the same.

For Petitioner(s): Mr.R.Parthiban

For Respondent(s): Mr.R.Rajasekaran, G.A.(Crl. Side), for R1
Mr.R.Rajadurai, for R2 & R3

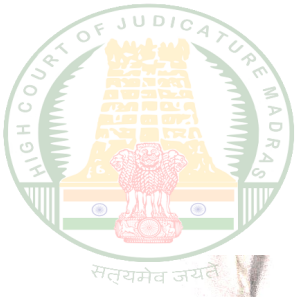
ORDER

The petitioner, who is facing trial for the offences under Sections 9(1) r/w. 10 of POCSO Act in Spl.SC.No.103 of 2023 on the file of the learned Sessions Judge, Special court for Exclusive trial of cases under POCSO Act, Chennai, has filed this quash petition.



2.The case of the prosecution is that the second respondent/de facto complainant has two daughters, aged about 21 and 17 years respectively, who were residing with their mother-in-law. While they had taken steps to get her elder daughter married with the petitioner herein, the petitioner allegedly misbehaved with the second daughter/victim and attempted to sexually abuse her. Hence, the de facto complainant lodged a complaint. Upon completion of the investigation, a final report was filed by the respondent Police and the same has been taken on file in Spl.SC.No.103 of 2023 on the file of the learned Sessions Judge, Special court for Exclusive trial of cases under POCSO Act, Chennai.

3.The learned counsel for the petitioner as well as the learned counsel for the de facto complainant submitted that the occurrence arose out of a misunderstanding between the parties, which was purely personal in nature. Subsequently, with the intervention of elders and well-wishers, the parties resolved their differences amicably. Now the petitioner married the elder sister and blessed with a female child. In view of the settlement, they have filed a Joint Compromise Memo, which was scanned and reproduced hereunder:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Side Jurisdiction)

Crl.O.P.No. 15941 of 2026
in

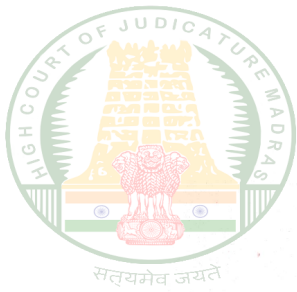
Spl.S.C.No.103 of 2023

(On the file of the Learned Sessions Judge, Special Court for Exclusive trial
of cases Under POCSO Act, Chennai)Satheesh Kumar @ Appu, M/ A. 35 years,
S/o. Ramesh,
No.133/60, Kamaraj Colony,
6th Street,
Kodambakkam,
Chennai-24

... Petitioner/ Sole Accused

- Versus -

1. State Rep. by its
Inspector of Police,
W-25, All Women Police Station,
T.Nagar,
Chennai District.
(Crime No.01/2023)...1stRespondent/Complainant2. Punniya Devi, F/a. 43 Years,
W/o. Johnson,
No. 103, Kamaraj Colony,
4th Street,
Kodambakkam,
Chennai-24...2ndRespondent/Defacto complainant3. XXXX,
D/o. XXXXXXXX,
XXXX XXXXX,
XXXXXX,
Kodambakkam,
Chennai-24...3rdRespondent/Victim Girl**JOINT COMPROMISE MEMO FILED BY PETITIONER and
2ND RESPONDENT**1. The Petitioner/accused herein and the 2nd respondent/defacto complainant herein
are herewith presenting this Joint Compromise Memo in support of the Memorandum of



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Grounds of Criminal Original Petition to quash the Spl.S.C.No.103 of 2023 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.

2. It is submitted that the 2nd respondent has lodged complaint before the 1st respondent police. Therefore, at later some point of time only the petitioner and the 2nd respondent are realized their mistakes. Hence the defacto complainant has no objection to quashing the Spl.S.C.No.103 of 2023 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai as against the petitioner.

3. It is submitted that the compromise entered into between the Parties a is reduced into writing by way of this Joint Compromise Memo and the parties to the petition to Quash along with the respective counsel have signed the same, agreeing to the filing of the quash petition by both parties and express their unconditional willingness to get the respective cases quashed registered based on the respective complaints preferred by both parties.

It is submitted that this Joint Compromise Memo may be treated as part and parcel of the Criminal Original Petition in Spl.S.C.No.103 of 2023 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai and thus render justice.

Dated at Chennai this the 16th Day of 2026

R. Lu

Petitioner

J. பஞ்சவர்ணம்

2nd Respondent

Counsel for the Petitioner

R. Rajadurai

Counsel for 2nd Respondent



4. The learned Govt. Advocate (Crl.side) appearing for the first respondent submitted that based on complaint of the second respondent, the case came to be registered against the petitioner. He further submitted that though the parties have entered into a compromise, this Court, taking into account the seriousness of the offence, has to consider as to whether offences of this nature can be quashed on the ground of compromise between parties.

5. Heard both sides and perused the materials available on record.

6. The case is still at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

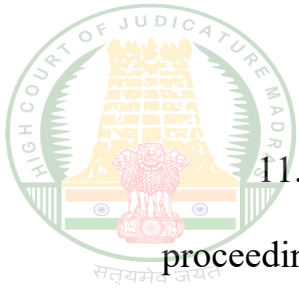
7. The petitioner and the second respondent/defacto complainant appeared before this Court and were duly identified by their respective counsel.

8. On interaction by this Court, the second respondent/defacto complainant stated that she has amicably settled the dispute with the petitioner and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.



9. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioner. The Hon'ble Supreme Court, in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarat*, reported in (2017) 9 SCC 641, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C. (corresponding to Section 528 BNSS), to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily examine if the crime in question is purely individual in nature or a crime against the society with overriding public interest. The Hon'ble Supreme Court has held that offences against the society with overriding public interest even if they get settled between the parties, cannot be quashed by this Court.

10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the second respondent and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings. In view of the above, this Court is inclined to quash the proceedings pending against the petitioners in Spl.SC.No.103 of 2023.



11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Spl.SC.No.103 of 2023 on the file of the learned Sessions Judge, Special court for Exclusive trial of cases under POCSO Act, Chennai, is quashed.

12. The affidavits and the Joint compromise Memo filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

25-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
PVS

To

1. The Sessions Judge, Special court for Exclusive trial of cases under POCSO Act, Chennai
2. The Inspector of Police,
W-25, All Women Police Station,
T.Nagar,
Chennai District.
Cr.No.01/2023.
3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

PVS

CRL OP No. 15941 of 2026

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