



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2026

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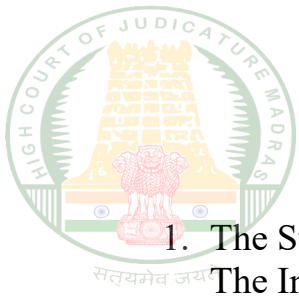
CORAM

THE HON'BLE MR JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.10897 of 2026 and
Crl.M.P.No.7703 of 2026

1. Rajesh,
S/o.Balaraman,
No.28, Thilagar Street,
Tiruvallur District.
2. Karthick,
S/o.Kumar,
No.136 Saga Medu Street Thalakanjeri Village,
Tiruvallur District.
3. Naveenkumar,
S/o.Palani,
Vinayagar Nagar,
Thalakanjeri Village, Tiruvallur District.
4. Magesh,
S/o.Ahikesavan,
No.38 Nethaji Salai, Tiruvallur District.
5. Kamal,
S/o.Rajendran,
No.22/3 Arunachala Street,
Kakkalur,
Tiruvallur District.
6. Arun,
S/o.mahendiran,
Bajanai Koil Street,
Thalakanjeri Village,
Tiruvallur District.

..Petitioner(s)



Vs

1. The State Rep By Its,
The Inspector of Police,
All Women Police Station,
Thiruvallur Police Station,
Tiruvallur Tiruvallur District
Cr.No.08 of 2018.

2. xxxxxx
xxxxx
xxxxx
xxxxx
Thiruvallur District.

..Respondent(s)

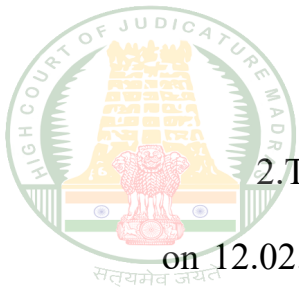
PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to call for the records in SPL.SC.No.23 of
2020 on the file fo the Special Court Special Court for Exclusive Trail of Cases
Under POCSO ACT, Tiruvallur and quash the same.

For Petitioner(s) : Arun S Kennady

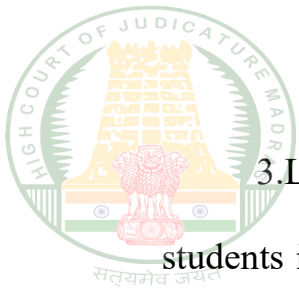
For Respondent(s): Mr.R.Rajasekaran,
Government Advocate (Criminal Side) for R1
Mr.P.Ananda Kumar for R2

ORDER

The petitioners/A1 to A6 in Special S.C.No.23 of 2020 facing trial for
offence under Sections 341, 366, 376(2)(i) & 109 IPC and Sections 4, 6, 8 & 17
of Protection of Children from Sexual Offences Act, 2012, filed this Quash
Petition.



2. The gist of the case is that the 2nd respondent/victim lodged a complaint on 12.02.2018 stating that A1 took her to Poondi dam and with sexual intent, touched her breast which the 2nd respondent resisted and shouted. Thereafter, A1 brought her near Veeraraghava Temple, Tiruvallur. On 14.02.2018 at about 5.00 p.m., A2 and A3 took the 2nd respondent from Tiruvallur to Poondi in a motorcycle where the 2nd respondent kissed and her breast pressed. Thereafter, A2 left the motorcycle with A3 and took the 2nd respondent to a nearby bridge, where he forcibly committed sexual assault on her. A3 abetted the said act of A2. During February 2018, A4 waylaid the 2nd respondent, took her in a motorcycle to a field near Thalakancheri, and on the false promise of marriage, hugged her, kissed her and committed penetrative sexual assault on her. During April 2015, A5 proposed his love to the 2nd respondent, took her to his house at Kakalur and committed penetrative sexual assault on her. During April 2018, A6 took the 2nd respondent in a motorcycle to Poondi Dam, took her to a mango grove and on the promise of marriage, committed penetrative sexual assault on her. Based on the complaint of the 2nd respondent, FIR in Crime No.8 of 2018 registered against the petitioners for the offences under Sections 341, 366, 376(2)(i) and 109 of the IPC and Sections 4, 6, 8 and 17 of the Protection of Children from Sexual Offences Act, 2012. On completion of investigation, charge sheet filed listing 18 witnesses and documents.



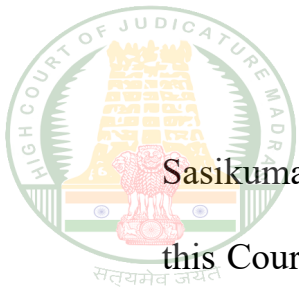
3. Learned counsel for the petitioners submitted that all petitioners are students in their teens. The 2nd respondent is also a student and she voluntarily had love relationship independently with each of the petitioners. She herself called and persuaded them to take her to various places. Due to their adolescent age and psychological immaturity, they moved closely in the expression of love, hugged and kissed each other, but without any sexual intent, and it was only an emotional and physical expression of affection. Later, the petitioners, on coming to know that they were exploited and cheated, started disassociating themselves from the 2nd respondent. The 2nd respondent, due to her emotional breakdown, lodged a complaint and made false allegations as though the petitioners committed penetrative sexual assault on her. Due to the pendency of the above case, the petitioners' future careers are now at crossroads, and they are unable to continue their education or secure employment. Thereafter, the 2nd respondent chose A5 as her life partner, continued her love relationship with him, and they got married on 16.03.2026. They are now living together as husband and wife. On coming to the reality, the 2nd respondent came forward and filed affidavit confirming that she is no longer interested in proceeding against any of the accused and that she and A5 are living as husband and wife. She has further stated that the continuation of the above case would only affect her life including her husband. Hence, she prays for quashing.



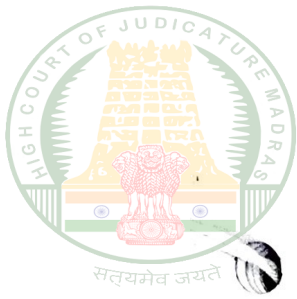
4.Learned Government Advocate (Criminal Side) appearing for the 1st respondent Police submitted that the 2nd respondent ravished by the petitioners under the guise of love. Each of the petitioners separately took the 2nd respondent to Poondi Dam Park and other isolated places, hugged and kissed her, and thereafter took her behind bushes and to a mango grove, where each of them committed penetrative sexual assault on her. He further submitted that though the 2nd respondent might have subjected to sexual assault, no injuries found on her. Now the 2nd respondent came forward and filed affidavit stating that she married A5 and living as husband and wife and she is no longer interested in pursuing the case. The 2nd respondent and A5 examined, and both admitted that they are now married and living together as husband and wife. The 2nd respondent now attained majority. The marriage solemnised on 16.03.2026 and registered on the same day in M.C.No.928 of 2026 by Sub Registrar, Periamet. The marriage certificate produced and verified.

5.Learned counsel for the 2nd respondent confirmed the compromise arrived between the petitioners and the 2nd respondent and also confirmed the marriage between the 2nd respondent and A5 solemnised on 16.03.2026.

6.Considering the submissions and on perusal of the materials, it is seen that in the present case the marriage between the 2nd respondent and A5 took place on 16.03.2026. The 2nd respondent's mother/LW2, one Bharath and



Sasikumar witnessed the marriage. A5 and the 2nd respondent are present before this Court and on interaction, they confirmed their marriage and living together as husband and wife. The 2nd respondent now attained majority. From the statements of the witnesses, it is seen that the 2nd respondent, at a young age, voluntarily had friendly relationship with the petitioners. Despite objections and warnings by her parents/LW2 and LW3, the 2nd respondent continued the relationship. Thereafter, the complaint lodged, case registered against the petitioners. Now, the 2nd respondent attained majority, married A5 and living with him as his wife. Scanned reproduction of the joint compromise memo filed by the petitioners and the 2nd respondent are as follows:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

CRIMINAL ORIGINAL JURISDICTION

Crl OP No. 10897 of 2026

Against

Spl. SC No. 23 of 2020

On the file of Special Court for Exclusive Trail of Cases under POCSO Act,
Tiruvallur

In

Crime No. 08 of 2018

On the file of the respondent police

1. Rajesh (M/ Age 28/ A1)
Son of Balaraman
No.28,Thilagar street,
Tiruvallur District.
2. Karthick (M/Age 26/A2)
Son of Kumar
No.136, Saga Medu Street,
Thalakanjeri Village,
Tiruvallur District.
3. NaveenKumar (M/Age 26/A3)
Son of Palani
Vinayagar Nagar,
Thalakanjeri Village,
Tiruvallur District.
4. Magesh (M/Age 27/A4)
Son of Ahikesavan
No.38, Nethaji Salai,
Tiruvallur District.
5. Kamal @ Rajkamal (M/Age 31/A5)
Son of Rajendran
No.22/3, Arunachala Street,
Kakkalur,
Tiruvallur District.
6. Arun (M/Age 27/A6)
Son of Mahendiran
Bajanai Koil Street,
Thalakanjeri Village,



Tiruvallur District.

.. Petitioners/ Accused 1 to 6

-Vs-

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1. The State
Represent by Inspector of Police
AWPS – Thiruvallur Police Station
Tiruvallur
Tiruvallur District
(Crime No. 08/2018)

.. Respondent

2. XXXXXX
XXXXXX
XXXXXXX
Tiruvallur District

.. Respondent/ Defacto complainant

JOINT COMPROMISE MEMO

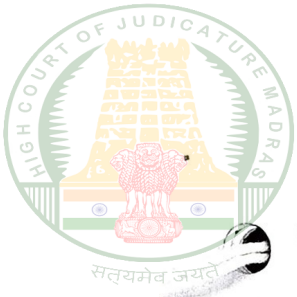
We

Rajesh son of Balaraman, aged about 28 years and residing at, No.28,Thilagar street, Thiruvallur district, now temporarily at Chennai, do hereby solemnly affirms and sincerely states as follows:

Karthik son of Kumar, aged about 26 years and residing at, No.136, Saga Medu Street, Thalakanjeri Village,, Thiruvallur district, now temporarily at Chennai, do hereby solemnly affirms and sincerely states as follows:

Naveenkumar son of Palani, aged about 26 years and residing at, Vinayagar Nagar, Thalakanjeri Village, Thiruvallur district, now temporarily at Chennai, do hereby solemnly affirms and sincerely states as follows:

Magesh son of Adhikesavan, aged about 28 years and residing at, No.38, Nethaji Salai,, Thiruvallur district, now temporarily at Chennai, do hereby solemnly affirms and sincerely states as follows:



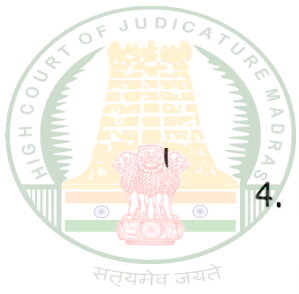
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Rajkamal @ Kamal son of Rajendran, aged about 31 years and residing at, No.22/3, Arunachala Street, Kakkalur, Thiruvallur district, now temporarily at Chennai, do hereby solemnly affirms and sincerely states as follows:

Arun son of Mahendiran, aged about 27 years and residing at, Bajanaikoil Street, Thalakanjeri Village Thiruvallur district, now temporarily at Chennai, do hereby solemnly affirms and sincerely states as follows:

XXXXX daughter of XXXXX, aged about 23 years and residing at, xxxxxxxxxxxxxxxxxxxxxxxxxxxx Cuddalore district, now temporarily at Chennai, do hereby solemnly affirms and sincerely states as follows:

1. We state that, during 2018, the defacto complainant and the 5th Accused Kamal @ Rajkamal had love affair with each other and where at that point of time, their parents had opposed the same on the account of wealth and caste issue. Though they were in love relationship, our friends were helped them. Based on the force from defacto complainants' parents, had given complaint contrary to the facts of love affair and given complaint as sexual abuse.
2. Now, both of them had been married each other and the said marriage had been duly registered as No. HMR/Periamet/727/2026.
3. We further state that, now, in order to helping us, by force and threat, a false case had been given against the petitioner herein.



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4. We state that, both are married and living peacefully. However, said matrimonial life was in trouble by virtue of pending case, which affects our future life. We are living peacefully.

5. This Joint Compromise was mutually agreed by the defacto complainant/2nd respondent and 1 to 6th accused/petitioner

Hence it is prayed that this Hon'ble court may be pleased to record this Joint Compromise and thereby quash the case in Spl SC No. 23 of 2020 on the file of the Special court Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvallur and pass such further or other orders as this Hon'ble court deems fit and proper on the facts and circumstances of this case and thereby render justice.

Dated at Chennai this the 19th day of April, 2026

B. Ritesh

Petitioner/ Accused 1

R. Ritesh

Petitioner/ Accused 5

A. Karthi

Petitioner/ Accused 2

M. Arun

Petitioner/ Accused 6

P. Naveen Kumar

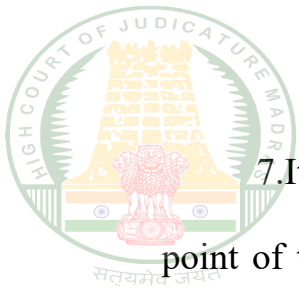
Petitioner/ Accused 3

A. Sarath Kumar

Respondent/ Defacto complainant

A. magesh

Petitioner/ Accused 4



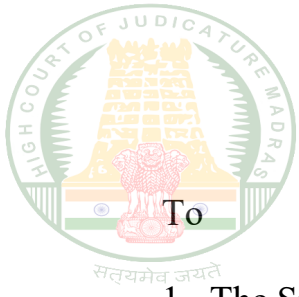
7.It is also seen that the petitioners are in their teens. At the relevant point of time, owing to their adolescent age, they were not fully aware of the seriousness and consequences of their act. Each of the petitioners independently developed a love relationship with the 2nd respondent. At that stage of life, due to the physical and psychological changes, such things happened. The Apex Court in the case of “*K.Dhandapani vs. State by the Inspector of Police*” reported in *2022 SCC Online SC 1056*”, considered the subsequent events and observed that the Court cannot shut its eyes to the ground reality and disturb the happy family life of the victim and her husband. In view of the same, this Court finds that continuation of the proceedings will serve no purpose and it is only an abuse of process of law.

8.In the result, the proceedings in Special S.C.No.23 of 2020 pending on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvallur is quashed against the petitioners.

9.Accordingly, this Criminal Original Petition is allowed. Consequently, connected Criminal Miscellaneous Petition is closed.

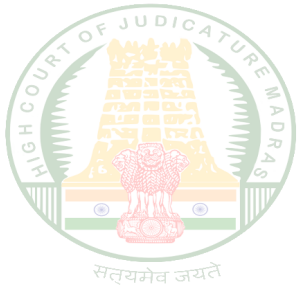
25.06.2026

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

1. The Special Court for Exclusive Trial of Cases
under POCSO Act,
Tiruvallur.
2. The Inspector of Police,
All Women Police Station,
Thiruvallur Police Station,
Tiruvallur District.
3. The Public Prosecutor,
Madras High Court.



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Crl.O.P.No.10897 of 2



M.NIRMAL KUMAR, J.

vv2

CRL.O.P.No.10897 of 2026

25.06.2026