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CRL.O.P.No.11366 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 25.06.2026

PRONOUNCED ON : 10.07.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.11366 of 2026 and

Crl.M.P.No.8091 of 2026

Vinu @ Vinulokeshwar
S/o.Natarajan,
No.2/249, Eriyur Village,
Sunjalanatham Post,
Pennagaram,
Dharmapuri District.

..Petitioner(s)

Vs

1. Inspector of Police,
All Women Police Station,
Pennagaram,
Dharmapuri District.
Crime No.19/2025
2. Suma
W/o.Prabhu,
No.1/140A, Eetchapadi,
Sunjalanatham, Pennagaram,
Dharmapuri - 636 810.

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Spl.S.C.No.06 of 2026 on the Special Court for the exclusive trial of cases under the POCSO Act at Dharmapuri and Compromise quash the same.

For Petitioner(s):

Mr.R.Anburaj

For Respondent(s):

Mr.R.Rajasekaran,
Government Advocate (Criminal Side)



ORDER

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The petitioner/accused in Special S.C.No.6 of 2026 facing trial for offence under Section 137(2) of BNS, Sections 9(f), 9(l), 10, 11(1), 11(4) & 12 of Protection of Children from Sexual Offences Act, 2012 and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015 before the learned Special Judge, Special Court for exclusive trial of cases under POCSO Act, Dharmapuri, has filed this Quash Petition based on the compromise entered between the parties.

2.Case of the prosecution is that during the relevant period, the victim was a minor and her date of birth is 21.09.2012 and she was studying 9th std in Adhiyaman Private School, Ramakondahalli, Dharmapuri district. After the birth of the victim, her mother developed mental disorder, due to which, her father married another lady. The victim girl was brought up and taken care by her paternal grandmother and also the 2nd respondent and her husband. On 21.08.2025, at about 06.00 p.m., the victim was not willing to go to school and found disturbed. When the 2nd respondent questioned the victim, the victim informed that the petitioner misbehaved with her and forced to send her photos through Instagram and also hugged and kissed her, thereby, committed sexual assault on several occasions. Based on the complaint, FIR in Crime No.19 of 2025 registered for the offences under Sections 7, 8, 9(f), 10, 11(4), 12 of



Protection of Children from Sexual Offences Act, 2012 and Section 118 of BNS against the petitioner. On conclusion of investigation, charge sheet filed listing 22 witnesses and documents before the trial Court.

3.Learned counsel for the petitioner submitted that the case projected against the petitioner is that when the victim was studying 9th std in a private school namely Adhiyaman High School, Ramakondahalli, Dharmapuri, the petitioner, Principal of the school said to have called the victim to the terrace where he kissed her and further he was continuously chatting with the victim through Instagram and touched her private parts. He further submitted that the victim gave exaggerated version due to her family circumstances and other reasons. Realising the mistake and at the intervention and advice of elders, now the issue resolved. The victim's paternal grandmother, guardian of the victim and victim's father filed affidavit to that effect. Hence, he prayed for quashing.

4.Learned Government Advocate (Criminal Side) appearing for the respondent Police strongly opposed the petitioner's submission and submitted that the victim was a minor and her date of birth was 20.09.2012. When she was studying 9th std in Adhiyaman High School, Ramakondahalli, Dharmapuri, the petitioner, Principal of the School knowing the victim was a minor, committed sexual assault. The victim's mother is a mentally unwell and the victim's father married another lady and living separately. The victim is now in



the care and support of her paternal grandmother. On 23.06.2025 at about 12.00 noon, the victim called by a Teacher, Sathipandiammal who asked the victim to give water to the petitioner who was in the second floor room. When the victim went there, the petitioner embraced and kissed her and used lucid words. This harassment continued on several occasions. The victim kept quite and not known what to do. The petitioner further using Instagram account, started contacting the victim and sending messages. The victim's behavioural pattern changed and she also refused to attend school. The petitioner continued to harass her, hence, a complaint lodged and FIR registered. Now, investigation completed and charge sheet filed listing 22 witnesses and documents.

5.He further submitted that in this case, the mobile phone of the petitioner and the victim both seized and sent to forensic examination. The forensic report confirms chat between them. Further, the victim gave 164 Cr.P.C. statement disclosing the sexual assault at the hands of the petitioner. He further submitted that as on date there are *prima facie* material to proceed against the petitioner further. In such cases, the compromise cannot be entertained as a matter of routine.

6.Considering the rival submissions and on perusal of the materials, it is seen that admittedly, the victim was a minor on the date of occurrence. The prosecution case is that the petitioner, who was the Principal of the School,



where the victim studying, taking advantage of his dominant position, subjected the victim to sexual assault and continued to contact her through Instagram by sending messages and also forced her to send photos. Now the investigation completed and charge sheet filed before the trial Court. The statement of the victim recorded under Section 164 Cr.P.C. discloses the sexual act committed by the petitioner. Further, the mobile phones seized from the petitioner and the victim sent to forensic examination, and the forensic report confirmed the chats.

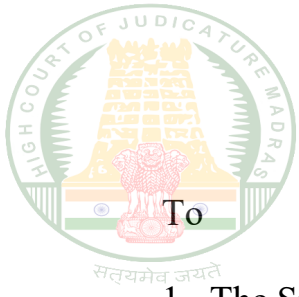
7.The contention of the leaned counsel for the petitioner that the victim gave exaggerated version due to her family circumstances and the issues got resolved, cannot be accepted at this stage.

8.In the result, this Criminal Original Petition stands dismissed. It is made clear that the observations made herein is only to the limited purpose of deciding this Quash Petition. The trial Court to proceed with the trial on its own merits and to decide the case in accordance with law. Consequently, connected Criminal Miscellaneous Petition is closed.

10.07.2026

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

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To

1. The Special Court for the exclusive trial of case under POCSO Act, Dharmapuri.
2. The Inspector of Police,
All Women Police Station,
Pennagaram, Dharmapuri District.
3. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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PRE-DELIVERY ORDER IN
CRL.O.P.No.11366 of 2026

10.07.2026