



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

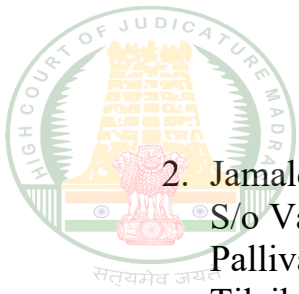
CRL OP No. 18280 of 2026

1. Akthar Hussain
S/o Shafiullah Khan,
NO.3/96, Thaikkal,
Ayanperaiyur, Peraiyur,
Perambalur.
2. Sharmila Begam
W/o Shafiullah Khan,
NO.3/96, Thaikkal,
Ayanperaiyur, Peraiyur,
Perambalur.
3. Sanobar
S/o Shafiullah Khan,
NO.3/96, Thaikkal,
Ayanperaiyur,
Peraiyur, Perambalur.
4. Ashma Banu
W/o Babuji,
NO.3/96, Thaikkal,
Ayanperaiyur,
Peraiyur, Perambalur.

..Petitioner(s)

Vs

1. The Inspector of Police,
All Women Police Station,
Perambalur,
Perambalur Dt.



2. Jamaldeen
S/o Vajibuddin,
Pallivasal Street, Ayan Peraiyar,
Tilaikkal Post, Veppanthattai Taluk,
Perambalur.

3. J.Rukshana Banu
S/o Jamaldeen,
Pallivasal Street,
Ayan Peraiyar, Tilaikkal Post,
Veppanthattai Taluk,
Perambalur.

..Respondent(s)

PRAYER

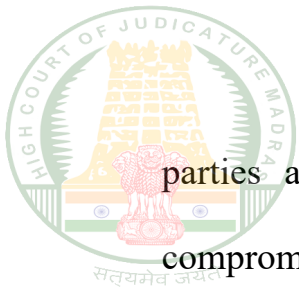
Criminal Original Petition filed under Sec.482 of Cr.P.C., praying to call for the records pertaining to Spl.SC.No.52 of 2026 pending on the file of the District and Sessions Court and Mahila Court, Perambalur and hence, we have filed present quash petition to quash the above final report in Spl.SC.No.52 of 2026 in Crime No.51 of 2022 for the alleged offence under section 7, 8, 11(14), 12, 16, 17 and 506(1) of POCSO act 2012 on the file of the District and Sessions Court and Mahila Court, Perambalur.

For Petitioner(s): Mr.T.Dharani

For Respondent(s): Mr.R.Rajasekaran
Counsel for Government of Tamil Nadu
(Criminal Side) For R1

ORDER

1. This Criminal Original Petition seeks to quash the final report in Spl.S.C.No.52 of 2026 on the file of the District and Sessions Court and Mahila Court, Perambalur for the alleged offences under Sections 7, 8, 11(4), 12, 16, 17 and 506 (1) of the Protection of Children from Sexual Offences Act, 2012. The



parties are present before the court and, on examination, stand by their compromise and do not want the case to proceed further.

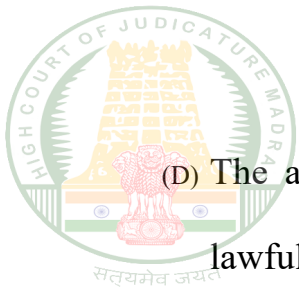
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2. The broad contours of the High Court's power to exercise extraordinary jurisdiction under Section 482 of the Cr.p.c. and Section 528 of the BNSS in respect of compromise of non-compoundable offences are laid down by the Hon'ble Supreme Court of India in *Gian Singh -Vs- State of Punjab and Another* (2012 10 SCC 303) and other subsequent judgments.

3. This is a serious case under the POCSO Act, with societal ramifications. As such, the Court will not rely solely on the version of the victim child/Prosecutrix but has a duty to consider the entire gamut of facts and attendant circumstances.

4. The following circumstances of this case are borne in mind :

- (A) A careful perusal of the allegations does not reveal a forceful assault or enticement under direct or indirect pressure, but the offence arises out of a premature adolescent romantic relationship rooted in mutual innocence and biological attraction;
- (B) The victim child's date of birth is taken into account, and she has now turned a major;
- (C) It is submitted that the accused and the victim are married, share an emotional bond, and live as a family;



(D) The accused is working as Civil Engineer and the family is eking out a lawful livelihood.

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5. The fact that the prosecutrix or the family members are no longer interested in the prosecution, that they are not going to co-operate with the prosecution, and that there is no likelihood of a meaningful trial is also taken into account.

6. This Court, in *Vijayalakshmi and Another -Vs- State (2021 SCCOnline Mad 317)*, has already taken the view that such adolescent relationships should not result in the incarceration of the boy alone and has called for appropriate legislative action to deal with these cases separately.

7. The purpose of exercising extraordinary power is to maintain social order. The very purpose behind the POCSO Act will be lost if the trial is allowed to proceed in the instant case, which is, pure and simple, a private relationship between the accused and the victim child.

8. For all the above reasons, Crl.O.P. No.18280 of 2026 is allowed. The final report in Spl.SC.No.52 of 2026 in Crime No.51 of 2022 on the file of the District and Sessions Court and Mahila Court, Perambalur stands quashed.

13-07-2026



Neutral Citation: Yes/No

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To

1. The District and Sessions Court and Mahila Court,
Perambalur.

2. The Inspector of Police,
All Women Police Station, Perambalur,
Perambalur Dt.

3. The Public Prosecutor,
High Court, Madras.



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CRL OP No. 18280 of 2



D.BHARATHA CHAKRAVARTHY J.

RPP

CRL OP No. 18280 of 2026

13-07-2026