



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

CORAM

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 17261 of 2026

and

CRL.MP.No.11502 of 2026

Pugazhenth
S/o.Periyasamy,
No.174, Colony Street,
Koliakkanatham Village,
621106, Alanthur Taluk,
Perambalur District.

..Petitioner(s)

Vs

1. The State Represented by
the Inspector of Police
Maruvathur Police Station,
Kunnam, Perambalur District – 621 708.
Crime No.58 of 2024.
2. XXXXXXXX
Perambalur District.
3. XXXXXXXX
Perambalur District.

..Respondent(s)

Prayer: This Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the entire records pursuant to the case in Spl.S.C.No.61 of 2026, on the file of the Principal District and Sessions Court and Mahila Court, Perambalur and Quash the same by allowing this Criminal Original Petition.

For Petitioner(s):

Mr.P.Kannan

For Respondent(s):

Mr.R.Rajasekaran

Government Advocate (Criminal Side) for R1



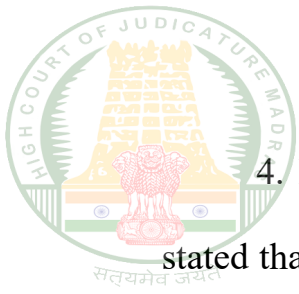
ORDER

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This Criminal Original Petition has been filed seeking to quash the final report and all further proceedings in Spl.S.C.No.61 of 2026, pending on the file of the Principal District and Sessions Court and Mahila Court, Perambalur.

2. The parties seek quashing of the proceedings on the basis of a compromise. The case has been taken on file for the offences under Sections 5(I), 5(j) (ii) and 6 of POCSO Act, 2012, and Section 9 of the Prohibition of Child Marriage Act, 2006. Since the offences alleged are serious in nature, this Court cannot proceed solely on the basis of the version of the parties or that of the prosecutrix.

3. This Court has carefully considered the facts and attendant circumstances of this case. A perusal of the FIR, the final report and the statements recorded under Section 161 Cr.P.C reveals that the case arose out of an adolescent romantic relationship. At the relevant point of time, the victim girl was aged about 17 years and the alleged occurrence appears to have been the result of mutual affection and youthful indiscretion. There are no allegations of force, coercion, inducement or exploitation.

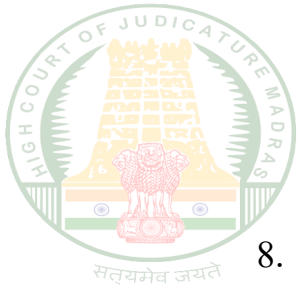


4. It is further seen that the victim has since attained majority and it is stated that the parties are living together as husband and wife. The accused and the victim have developed a stable emotional bond, have established a family or their own and a female child was born to them on 15.10.2024.

5. This Court also takes note of the fact that the prosecutrix is not interested in pursuing the prosecution and is unwilling to support the case during trial. The other witnesses, who are close relatives, are also not interested in prosecuting the matter. In such circumstances, the possibility of a meaningful prosecution resulting in conviction appears to be remote.

6. This Court also takes note of the observations made by this Court in *Vijayalakshmi and Another -Vs- State (2021 SCC Online Mad 317)*, wherein a note of caution was sounded while dealing with cases arising out of adolescent and consensual romantic relationships, emphasizing the need to examine whether such relationships should invariably be treated as sexual assault under the provisions of the POCSO Act.

7. Considering the peculiar facts and circumstances of the present case, this Court is of the view that it is a fit case for exercising its extraordinary jurisdiction under Section 482 Cr.P.C. to secure the ends of justice and to prevent abuse of the process of law.



8. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Spl.S.C.No.61 of 2026, pending on the file of the Principal District and Sessions Court and Mahila Court, Perambalur, are hereby quashed. Consequently, connected miscellaneous petition is closed.

03-07-2026

Neutral Citation: Yes/No

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To

1. The Principal District and Sessions Court and Mahila Court,
Perambalur.
2. The Inspector of Police
Maruvathur Police Station,
Kunnam, Perambalur District. – 621708.
3. The Public Prosecutor,
Madras High Court.



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CRL OP No. 17261 of 2



D.BHARATHA CHAKRAVARTHY, J.

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03-07-2026